DEPARTMENT OF AGRICULTURE
WASHINGTON

October 13, 1922.

MEMORANDUM NO. 400

Board of Survey.

B. H. Dutrow, Officer in Charge of Supplies, Secretary's Office, has been designated Chairman of the Board of Survey, vice C. B. Lower, retired, with C. T. Forster, C. C. Wilson, Hugh T. O'Neal, and Geo. H. Safford, as associate members of the Board. The personnel of the Board of Survey is as follows:

B. H. Dutrow, Chairman.
C. T. Forster,
C. C. Wilson.
Hugh T. O'Neal.
Geo. H. Safford.

The chief clerk or other designated officer of each bureau of the Department will have all unserviceable articles, as well as all other articles which are of no further use to the bureau, turned over on the first and third Monday of each month to the Officer in Charge of Supplies for issue to other bureaus, to place in stock in the Secretary's supply room, to deliver to the Mechanical Superintendent for salvage of such parts as may be useful, or if not needed by any branch of the Department for delivery to the General Supply Committee as required by law.

The Board shall also order and supervise the destruction of articles which are absolutely worthless or cannot be utilized in the Department or by the General Supply Committee.

Henry C. Wallace

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

File copy

October 17, 1922.

MEMORANDUM NO. 401.

Amendment to the Administrative Regulations.

Paragraph 171 of the Administrative Regulations (relating to textbooks, articles for publications, etc.) is hereby amended to read as follows:

171. MATERIAL FOR OUTSIDE PUBLICATION.- Employees of the department, when requested to do so, may be permitted to prepare for publication textbooks, articles and similar publications upon special subjects connected with the policies and unpublished work of the department. Work of this character should not be permitted to encroach upon the time, energy, and attention required by employees for the effective prosecution of their departmental duties, whether in research, extension, or other work, and should be undertaken only after thorough consideration and approval of the Chief of the Bureau or Bureaus concerned, and approval by the Assistant Secretary in charge of publication activities. A definite outline of each such contemplated publication should be submitted for the approval of the Assistant Secretary by the chief of the bureau, with his recommendation. The manuscript in its final form should be submitted to the Chief of the bureau and the Assistant Secretary for approval before publication.

This procedure should be followed whether or not compensation is expected, except that articles on strictly agricultural subjects of a purely local character, prepared by the demonstration or other local agents of the department for the information and guidance of farmers in their respective districts, may be published in county or other papers of restricted distribution, upon the approval of such articles by the district or State supervisory officer. Such officers should not, however, permit the publication of any matter of a controversial nature or which does not strictly pertain to the work under their charge.

Authors should notify the librarian of the department when articles prepared by them are published in outside journals or papers. If the librarian does not have copies of publications containing articles authors are expected to furnish the librarian a copy of each article as it finally appeared, either in printed or manuscript form.

The preparation by employees of the department of books or articles on subjects not including the unpublished results of department work nor including a discussion of the policies of the department is not contemplated in the foregoing, but is subject to the limitations upon other forms of outside work prescribed by paragraph 44 of these regulations. If the books or articles relate to published work of the department, or if the author's connection with the department is in any way shown, the approval of the Bureau Chief must be secured.

Henry C. Wallace

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY,
WASHINGTON

October 11, 1922.

MEMORANDUM NO. 401.

Amendment to the Administrative Regulations.

Paragraph 171 of the Administrative Regulations (relating to textbooks, articles for publications, etc.) is hereby amended to read as follows:

171. APPROVAL FOR OUTSIDE PUBLICATION.- Employees of the department, when requested to do so, may be permitted to prepare for publication textbooks, articles and similar publications upon special subjects connected with the policies and unpublished work of the department. Work of this character should not be permitted to encroach upon the time, energy, and attention required by employees for the effective prosecution of their departmental duties, whether in research, extension, or other work, and should be undertaken only after thorough consideration and approval of the Chief of the Bureau or Bureaus concerned, and approval by the Assistant Secretary in charge of publication activities. A definite outline of each such contemplated publication should be submitted for the approval of the Assistant Secretary by the chief of the bureau, with his recommendation. The manuscript in its final form should be submitted to the Chief of the bureau and the Assistant Secretary for approval before publication.

This procedure should be followed whether or not compensation is expected, except that articles on strictly agricultural subjects of a purely local character, prepared by the demonstration or other local agents of the department for the information and guidance of farmers in their respective districts, may be published in county or other papers of restricted distribution, upon the approval of such articles by the district or State supervisory officer. Such officers should not, however, permit the publication of any matter of a controversial nature or which does not strictly pertain to the work under their charge.

Authors should notify the librarian of the department when articles prepared by them are published in outside journals or papers. If the librarian does not have copies of publications containing articles authors are expected to furnish the librarian a copy of each article as it finally appears, either in printed or manuscript form.

The preparation by employees of the department of books or articles on subjects not involving the unpublished results of department work not including a discussion of the policies of the department is not contemplated in the foregoing, but is subject to the limitations upon other forms of outside work prescribed by paragraph 48 of these regulations. If the books or articles relate to published work of the department, or if the author's connection with the department is in any way shown, the approval of the Bureau Chief must be secured.

[illegible]

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE [redacted] SECRETARY
WASHINGTON, D. C.

September 18, 1922.

MEMORANDUM NO.

Amendment to the Administrative Regulations.

Paragraph 171 of the Administrative Regulations (relating to textbooks, articles for publications, etc.) is hereby amended to read as follows:

171. MATERIAL FOR OUTSIDE PUBLICATION. - Employees of the department, when requested to do so, may be permitted to prepare for publication textbooks, articles and similar publications upon special subjects connected with the policies and unpublished work of the department. Work of this character should not be permitted to encroach upon the time, energy, and attention required by employees for the effective prosecution of their departmental duties, whether in research, extension, or other work, and should be undertaken only after thorough consideration and approval of the Chief of the Bureau or Bureaus concerned, and approval by the Assistant Secretary in charge of publication activities. A definite outline of each such contemplated publication should be submitted for the approval of the Assistant Secretary by the chief of the bureau, with his recommendation. The manuscript in its final form should be submitted to the chief of the Bureau and the Secretary for approval before publication.

This procedure should be followed whether or not compensation is expected, except that articles on strictly agricultural subjects of a purely local character, prepared by the demonstration or other local agents of the department for the information and guidance of farmers in their respective districts, may be published in county or other papers of restricted distribution, upon the approval of such articles by the district or State supervisory officer. Such officers should not, however, permit the publication of any matter of a controversial nature or which does not strictly pertain to the work under their charge.

Authors should notify the librarian of the department when articles prepared by them are published in outside journals or papers. If the librarian does not have copies of publications containing articles authors are expected to furnish the librarian a copy of each article as it finally appeared, either in printed or manuscript form.

The preparation by employees of the department of books or articles on subjects not including the unpublished results of department work nor including a discussion of the policies of the department is not contemplated in the foregoing, but is subject to the limitations upon other forms of outside work prescribed by paragraph 44 of these Regulations. If the books or articles relate to published work ~~done by the author while in the employ~~ of the Department, or if the author's connection with the Department is in any way shown, the approval of the Bureau Chief must be secured.

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D. C.

September 16, 1933.

MEMORANDUM.

Amendment to the administrative regulations.

Paragraph LVI of the Administrative regulations (relating to textbooks, articles for publication, etc.) is hereby amended to read as follows:

LVI. MATERIAL FOR OUTSIDE PUBLICATION. - Employees of the department, when requested to do so, may be permitted to prepare for publication textbooks, articles and similar publications upon special subjects connected with the activities and improvement work of the department. Work of this character should not be permitted to encroach upon the time, energy, and attention required by employees for the effective prosecution of their departmental duties, whether in research, extension, or other work, and should be undertaken only after thorough consideration and approval of the chief of the bureau or bureaus concerned and approval by the Assistant Secretary in charge of publication activities. A definite outline of each such contemplated publication should be submitted to the Assistant Secretary by the chief of the bureau, with his recommendation.

This procedure should be followed whether or not compensation is expected, except that articles or activity statistical studies of a purely local character, prepared by the administration or other local agents of the department, for the information and guidance of farmers in their respective districts, may be published in county or other issues of restricted distribution, upon the approval of such articles by the district or state supervisory officer. Such officers should not, however, permit the publication of any matter of a controversial nature or which does not strictly pertain to the work under their charge.

Authors should notify the librarian of the department when articles prepared by them are published in outside journals or papers. If the librarian does not have copies of publications containing articles or are expected to furnish the librarian a copy of each article as it already appeared, either in printed or manuscript form.

The preparation by employees of the department of books or articles on subjects not included in the approved results of department work nor including a discussion of the policies of the department is not contemplated in the foregoing. Nor is such work to the limitations upon other forms of outside work prescribed by paragraph 4A of the regulations. If the books or articles relate to publication work done by the author while in the employ of the department, or if the author's connection with the department is in any way shown, the approval of the bureau chief must be secured.

Secretary.

September 21, 1922.

MEMORANDUM FOR THE SECRETARY

Dear Mr. Secretary:

I recommend, after careful consideration, amendment of Paragraphs 44 and 171 of Administrative Regulations as per attached. Dr. Ball has been consulted and approves.

The amendment to Paragraph 44 definitely prohibits certain types of outside work, and does away with the necessity of securing the approval of the Secretary for all forms of outside work.

The amendment to 171,

1. Permits writing of books and articles connected with policies or unpublished work of Department, provided approval of Bureau Chief and Secretary's Office is secured.

2. Provides that if articles relate to published work of Department, or if author's connection with the Department is in any way shown, approval of Bureau Chief must be secured.

Sincerely,

C. W. Pugsley

Assistant Secretary.

Enclosure.

September 21, 1922.

MEMORANDUM FOR THE SECRETARY

Dear Mr. Secretary:

I recommend, after careful consideration, amendment of Paragraphs 44 and 171 of Administrative Regulations as per attached. Dr. Hall has been consulted and approves.

The amendment to Paragraph 44 definitely prohibits certain type of outside work, and does away with the necessity of securing the approval of the Secretary for all form of outside work.

The amendment to 171.

1. Permits writing of books and articles connected with policies or unpublished work of Department, provided approval of Bureau Chief and Secretary's Office is secured.

2. Provides that if articles relate to published work of Department, or if author's connection with the Department is in any way shown, approval of Bureau Chief must be secured.

Sincerely,

Assistant Secretary.

Enclosure.

UNITED STATES DEPARTMENT OF AGRICULTURE

DIVISION OF PUBLICATIONS

WASHINGTON

ADDRESS REPLY TO
"CHIEF, DIVISION OF PUBLICATIONS"
AND REFER TO

C

PRESS SERVICE
PUBLICATIONS
MOTION PICTURES
EXHIBITS

August 28, 1922.

MEMORANDUM FOR THE ASSISTANT SECRETARY.

Dear Mr. Pugsley:

Reference is made to my memorandum of July 21 regarding approval of articles for outside publication. A check of the lists printed in the Official Record from July 12 to August 23 shows, out of a total of 116 articles prepared and printed in outside publications, 55 which were not submitted to this Division for approval. Very obviously the records of this Division are incomplete and of little value.

Articles relating to the work of the Department prepared for outside publication are required by existing administrative regulations to be submitted to the Assistant Secretary in Charge of Publications, and this duty has for a number of years been delegated to this Division. The figures quoted above indicate the extent to which the regulation is complied with. This fact, coupled with my knowledge of the feeling in regard to the regulation, lead me to recommend that this Division be relieved of the work of reviewing these articles and that the Administrative Regulations be modified to put the responsibility for articles published outside the Department upon the chiefs of bureaus. My experience leads me to believe that the requirement that all manuscripts must be approved by the Assistant Secretary has served to deter workers in the Department, and particularly field men, from writing articles, or has lead them to violate the established regulations. Many people regard the regulation as a form of censorship and while it is very seldom that any article is changed in this Division, the psychological effect upon the writers is bad and the time required for field men to submit manuscripts to Washington for approval often prevents them from getting timely articles into worthwhile publications.

I believe that the recommended change in the Regulations will be welcomed by the workers in the Department and that by putting the responsibility upon the authors and the chiefs of bureaus or other responsible person will protect the Department's interests.

Very sincerely yours,

Geo. L. Sauer Jr.

Chief of Division.

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

WASHINGTON

May , 1922.

MEMORANDUM NO.

Amendment to the Administrative Regulations. (relating to articles textbooks for publication, etc)

Paragraph 171 of the Administrative Regulations is hereby amended to read as follows:

171. MATERIAL FOR OUTSIDE PUBLICATION.-Employees of the department, when requested to do so, may be permitted to prepare for publication textbooks and similar publications upon special subjects connected with the work of the department. Work of this character should not be permitted to encroach upon the time, energy, and attention required by employees for the effective prosecution of their departmental duties, whether in research, extension, or other work, and should be undertaken only after thorough consideration by the advisory committee on outside publications and approval by the Assistant Secretary in charge of publication activities. A definite outline of each such contemplated publication should be submitted to the Assistant Secretary by the chief of the bureau, with his recommendation. This outline will then be referred to the advisory committee which will report the results of its examination to the Assistant Secretary.

The same procedure will govern the preparation of articles by employees of the department on subjects relating to the work of the department which are intended for publication in outside journals and magazines, with this exception: Manuscripts of articles themselves must be submitted to the Assistant Secretary in charge of publication activities, through the chiefs of bureaus. He will determine whether it is necessary to refer them to the advisory committee for consideration, and, if such reference is not deemed necessary, will approve or disapprove their publication. This procedure should be followed whether or not compensation is expected, except that articles on strictly agricultural subjects of a purely local character, prepared by the demonstration or other local agents of the department for the information and guidance of farmers in their respective districts, may be published in county or other papers of restricted distribution, upon the approval of such articles by the district or State supervisory officer. Such officers should not, however, permit the publication of any matter of a controversal nature or which does not strictly pertain to the work under their charge.

Authors should notify the librarian of the department when articles prepared by them are published in outside journals or papers. If the librarian does not have copies of publications containing articles authors are expected to furnish the librarian a copy of each article as it finally appeared, either in printed or manuscript form.

The preparation by employees of the department of books or articles on subjects not related to the work of the department is not contemplated in the foregoing, but is subject to the limitations upon other forms of outside work prescribed by paragraph 44 of these Regulations.

Secretary.

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON

PRESS SERVICE

April 13, 1922.

MEMORANDUM TO THE ASSISTANT SECRETARY

Dear Mr. Pugsley:

Personally, I can see no advantage in the Administrative Regulation requiring official approval of articles for outside publication. And, on the other hand, there appears to me one or two disadvantages. In the first place, department people would be discouraged from writing for outside publication if they labored under the impression that their material must pass through the hands of a censoring committee without their particular bureau. In the second place, it is impossible for any man or set of men to intelligently pass upon scientific or technical articles.

One of the big problems of any organization is to get the thoughts and findings of specially trained men before the public in general. It would be a tedious and impossible task for the press bureau to supervise preparation and distribution of special articles for different journals for the reason that we do not understand the wants of technical journals nor do we understand the writing ability of the different individuals.

No matter what rules or regulations are laid down I believe that certain department people would continue to write under nom-de-plumes. It is human nature to pick up an extra dollar or two.

Then it appears that approval of subject matter and manuscripts should be given by the respective bureau chiefs, with the bureau and writer sharing responsibility. I believe further that no person should be permitted to prepare an article from other than his own particular bureau. If we are to secure a closer contact between the department and readers of all classes, I earnestly believe that, though we should not encourage writing for pay, any obstacle should be removed that might prevent a freer distribution of department talent to the public press.

Very truly yours,

F. M. Russell

F. M. Russell,
Press Service.

UNITED STATES DEPARTMENT OF AGRICULTURE

DIVISION OF PUBLICATIONS

WASHINGTON

ADDRESS REPLY TO
"CHIEF, DIVISION OF PUBLICATIONS"
AND REFER TO
C

PRESS SERVICE
PUBLICATIONS
MOTION PICTURES
EXHIBITS

March 15, 1922.

MEMORANDUM FOR THE ASSISTANT SECRETARY.

Dear Mr. Pugsley:

I have always believed that the Administrative Regulation requiring official approval of articles for outside publication was undesirable. As Mr. Haynes points out, it is exceedingly easy for those who desire to do so to evade such a rule and I have no doubt that many people in the Department are, as he says, writing under fictitious names. Mr. Haynes' points about the approval of technical articles and articles of a propaganda nature are well taken. In addition to these points there is the fact that, as it stands, the regulation serves to deter conscientious and able writers within the Department from preparing articles for publication. The psychological effect of having a "censorship" in the Department which must approve all articles is bad, and I have on a number of occasions had field men say, in effect, that they did not propose to have the heart and life cut out of their articles by the official censor and that they preferred not to write at all than have to submit them to such a censor. This applies particularly to people in the Forest Service with whom I am on intimate terms.

Some months ago, with apparently the same idea in mind that you have, I talked to a number of the bureau chiefs about this matter. With the exception, I think, of Col. Greeley, most of them, as I recall it, had no great objection to continuing the present plan, although they thought that approval by this Division or by the Secretary's office really amounted to little. They did think, however, that submission of articles to a central bureau for approval resulted in making writers more careful than they might otherwise be.

As I see it, approval by the Chief of the Bureau is all that is needed, provided that the responsibility for articles is placed definitely upon the bureau chiefs. This Division can not be expected to verify the technical facts which are presented by the research workers of the Department, nor can it be expected, under present conditions, to be familiar enough with the detail of the Secretary's policy to catch all objectionable, controversial matter which might be slipped into articles. This, as I see it, must be done, if it is to be done at all, in the bureaus.

I, for one, shall be mighty glad to see the regulation requiring official approval of articles by this Division discontinued, and I think that many able writers in the Department will have the same feeling.

Very sincerely yours,

Jno. L. Rawls Jr.
Chief of Division.

Enclosures.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D. C.

March 11, 1922.

Mr. Pugsley:

I am inclined to agree with you chiefly because the present rule can not be enforced in regard to such articles as might not be approved. I say the rule is difficult to enforce because within the last few years I have had go over my desk numerous articles written by Department men who were avoiding the rule by the use of fictitious names to be signed to the published material. Doubtless you have had the same experience.

At the present time I believe relative few of the Department men who are writing for outside publications for pay are sending their material through for official approval. We are getting such articles as "Viability Of Telia Cronartium Ribicola" and "A Saponin From Agave Lechuguilla", but an approval of such highly technical articles does not mean much. More than half of the articles coming through are of this nature - written by professional men who are more interested in having results of their investigations in print form than in remuneration. Those who are writing chiefly for pay do not care for the publicity for their individual selves, but want the pay check and it is my impression they are not complying with the rule. Possibly I am wrong but I draw such a conclusion after considering rather carefully the articles which have been passed on during the last two months.

Only three people are represented in those articles for which pay was expected. These without exception are employed in the Forest Service. I believe if data were available that far more employes of the Department have written for outside publications during this period but have sent out their material without approval or under fictitious names. It would be almost impossible to devise any method which would force all to comply with the rule and a rule which can not be enforced is useless.

Articles to which there would be official objection probably would be of a propaganda nature and those responsible for such articles naturally would not submit them for approval. They would have some confidential friend outside the Department prepare the material. I personally know of this having been done by rather high officials formerly in the Department and I have heard rumors that even now there are those who are giving out to newspaper men matter on sort of a royalty basis.

I have mentioned these instances simply to emphasize that the present regulation as I see it is not effective against the sort of stuff the Department might want to head off. I believe the revised regulation is preferable, except I wonder if all copy concerning work of the Department ought not be submitted at least to the Bureau chief for approval.

HAYNES.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D. C.

March 4, 1922.

MEMORANDUM FOR THE SECRETARY

Dear Mr. Secretary:

Attached you will find the present administrative regulations governing the preparation of manuscripts for outside publications. I have prepared a suggested change in administrative provision 44, and am submitting it herewith for your consideration. We are now the only Federal Department requiring written permission for doing outside work.

The more I go into the matter the more thoroughly I become convinced that we are making a very serious mistake in assuming responsibility for the publication of outside articles. We do not see the articles before they are approved, although paragraph 171 of the present administrative regulations require submission of articles relating to the work of the Department, and neither do we see them after they are printed. By granting written permission we relieve the writer of responsibility.

I believe it would be much better to place this responsibility where it belongs, namely, upon the individual, except in the case of articles dealing with Department work and Department policies. The former should be approved by the Bureau Chief, and the latter by the Secretary. This could be done by making the rule governing outside writings very specific and by requiring the submission of a statement of the article to be published and a copy of the article as soon as published. This will give us a chance to carefully check all outside work.

Sincerely,

Assistant Secretary.

(Enclosure)

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

October 17, 1922.

MEMORANDUM NO. 402.

Amendment to the Administrative Regulations.

Paragraph 44 of the Administrative Regulations (relating to outside work) is hereby amended to read as follows:

44. OUTSIDE WORK. - No officer or employee engaged continuously on work in the Department shall perform or be engaged in any work for private individuals, firms, companies, organizations, or institutions,

(a) If the outside work or any of it is to be performed during official hours.

(b) If the efficiency of the employee may be impaired by the performance of the outside duties, that is, where the outside duties are of such an onerous or fatiguing nature as to injure the health of the employee or to prevent him from doing the best work during official hours.

(c) If the work to be done in a private capacity may be construed by the public to be the official acts of the Department.

(d) If the business connections to be established or property interests to be acquired may result in a conflict between the private interests of the employee and his official duty or tend to bias his judgment.

(e) If the doing of such work may involve the use of information secured as the results of employment in the Department to the detriment of the public service.

(f) If such employment may tend to bring criticism on the Department or cause embarrassment.

(Note: Employees will not accept office in, nor permit the use of their names in the advertising matter of organizations commercializing the results of research work conducted by the Department, irrespective of any merits which such enterprises may appear to possess.)

(g) If the work relates to a written discussion of policies or official work of the Department, except as provided for in paragraph 171 of these Regulations.

(h) If the work involves teaching, or the giving of instruction of any kind prohibited by the Executive Order of January 13, 1920,

(Note: The Executive Order referred to reads as follows:)

> "No officer or employee of the Government shall, directly or indirectly, instruct or be concerned in any manner in the instruction of any person or classes of persons, with a view to their special preparation for the examinations of the United States Civil Service Commission. The fact that any officer or employee is found so engaged shall be considered sufficient cause for his removal from the service: Provided, that this order shall not be so construed as to prevent the Federal Board for Vocational Education, the Medical Departments of the Army and Navy, and any other branches of the Government from utilizing the government facilities and the services of Federal officers and employees where such facilities or services may be necessary or useful in carrying out the duties imposed upon such departments or branches by law, in the training and testing of disabled soldiers, sailors, and marines."

This order is strictly construed by the Civil Service Commission. Employees who contemplate engaging in any form of teaching should indicate their intention to the Secretary who will secure a ruling from the Civil Service Commission.

Henry C. Wallace

Secretary.

OFFICE OF THE SECRETARY OF AGRICULTURE

June 5, 1922.

Dear Mr. Jump:

I suggest the addition of the following note to Sub-section F of the attached draft amending our outside work regulation:

(Note: Employees will not ~~should neither~~ accept office in, nor permit the use of their names in the advertising matter of organizations commercializing the results of research work conducted by the Department, irrespective of any merits which such enterprises may appear to possess.)

Very truly yours,

Ashley

Inspector.

A-W

OFFICE OF THE ASSISTANT SE TARY

MEMORANDUM.

May 10, 1922.

Dr. Ball:

I suggest changing (G) to require submission to Bureau Chiefs of articles for outside publication.

C. W. Pugsley
C

That would be all right provided that the 2nd paragraph of 171 be changed to exclude publication not involving policy of department.

E.D.B.

OFFICE OF THE ASSISTANT SECRETARY

MEMORANDUM.

May 10, 1911.

Dr. Ball:

I suggest changing (G) to require submission to Bureau Chiefs of articles for outside publication.

Chas. Pugsley

That would be all right provided that the 2d paragraph of 171- be changed to exclude publication not involving policy of Department

EWB

OFFICE OF
THE SECRETARY OF AGRICULTURE

5/5

Mr Pugsley
Dr Ball

Pls note very minor changes. Any final suggestions or comments?

WAJ

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OFFICE OF THE ASSISTANT SECRETARY

MEMORANDUM.

Sept. 9, 1922.

Mr. Secretary:

I recommend the two attached memorandums amending Administrative Regulations -4 and 171. The suggested amendments put responsibility for outside writing (and other work) up to individual, but require submission of all articles, books, etc., dealing with policies and work of Department to Bureau Chiefs and Assistant Secretary for approval.

The matter has Dr. Ball's approval as it stands.

C. W. Pugsley
C. O.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

OFFICE OF INSPECTION
FILE NO. 662-5

September 30, 1922.

MEMORANDUM FOR MR. JUMP.

Dear Mr. Jump:

With the return of the previous file, I submit "bill form" drafts of Paragraphs 44 and 171 of the Administrative Regulations as Mr. Pugsley suggests to the Secretary they be amended. These drafts will enable you to note readily changes in current procedure proposed; matters appearing in our present text, but excluded from the amended form is indicated by "ruling out" - new matter by underscoring.

PARAGRAPH 44.

In its new form, this paragraph, as indicated by Mr. Pugsley, does away with the necessity of securing the approval of the Secretary for all forms of outside work, but at the same time, it places definite restrictions on such work. This is fine. It will do away with quite a little really unnecessary official procedure in both the bureaus and the Secretary's office I am afraid, however, that there is one class of outside work which will still require action by the Secretary. I refer to teaching.

Under date of February 7, 1921, the then President of the Civil Service Commission wrote our Secretary in part as follows, regarding the Executive Order of January 13, 1920.

> "While the Commission is charged with the administration of the Executive Order, it desires to enlist the closest cooperation of the Department, and, to bring this about, it is suggested that in all cases where application is made by an employee to teach, or give instruction, the Department give careful consideration to all the facts in the case, for the reason that the Department may wish to refuse such permission without submitting the case to the Commission. <u>However, if, after careful consideration, the</u>

Department is of the opinion that an employee may teach, every case should be presented to the Commission for action, as requested in its letter of September 22, 1920.

In these circumstances, I would suggest the addition to our regulations of another sub-section (h), phrased, possibly, as follows:

"(h) If the work involves teaching, or the giving of instruction of any kind prohibited by the Executive Order of January 13, 1920,

(NOTE: The Executive Order referred to reads as follows:)
"No officer or employee of the Government shall, directly or indirectly, instruct or be concerned in any manner in the instruction of any person or classes of persons, with a view to their special preparation for the examinations of the United States Civil Service Commission. The fact that any officer or employee is found so engaged shall be considered sufficient cause for his removal from the service: Provided, that this order shall not be so construed as to prevent the Federal Board for Vocational Education, the Medical Departments of the Army and Navy, and any other branches of the Government from utilizing the government facilities and the services of federal officers and employees where such facilities or services may be necessary or useful in carrying out the duties imposed upon such departments or branches by law, in the training and testing of disabled soldiers, sailors, and marines."

This order is strictly construed by the Civil Service Commission. Employees who contemplate engaging in any form of teaching should indicate their intention to the Secretary who will secure a ruling from the Civil Service Commission."

Personally, I would like to see the note regarding annual leave, under sub-section A, omitted, as to my mind, it may fairly be construed as modifying the prohibition which, I take it, is intended to, and should be, absolute.

The note under sub-section (f) is new; recent experience amply justifies its inclusion.

You will note that the proposed draft omits all reference to acceptance

of the position of school trustee or school director. Would it not be well to preserve the essence of the old text covering this point, but without requiring any record or action by supervising officers of the Department? As thus modified, the text might be included as a part of the note under sub-section (f), by adding thereto the following:

> "An employee may, when authorized by law or Executive Order, and when such service does not involve circumstances rendering such action undesirable, accept the position of school trustee or school director, either with or without compensation, provided that such employee is merely a passive or inactive candidate for appointment or election and such candidacy does not involve or necessitate activity in political management or in a political campaign."

PARAGRAPH 171.

The changes proposed in this paragraph are based upon what I understand is to be our administrative policy from now on. I am wondering whether it was Mr. Pugsley's intention to require the approval of the Bureau Chief when the author of an article uses the already published work of <u>another employee</u>. In his memorandum of September 21 to the Secretary, Mr. Pugsley states:

> "The amendment to 171 * * * * * * * * * * * * * * * * * * *
>
> 2. Provides that if articles relate to published work of the Department, * * * * * approval of Bureau Chief must be secured."

but the text of the amendment reads:

> " If the books or articles <u>relate to published work done by the author</u> * * * * * * * the approval of the Bureau Chief must be secured."

Answering the specific inquiry in your memorandum of the 27th, I may state that so far as I can see both regulations are "all O. K., technically."

Very truly yours,

Alex. McC. Ashley

Inspector.

A/T

44. ~~Work-for-Private-Individuals,-Firms,-Etc.~~ Outside Work.--No officer or employee engaged continuously on work ~~of~~ in the Department shall perform or be engaged in any work for private individuals, firms, companies, ~~corporations,~~ organizations or institutions, ~~without-the-written-consent-of-the-Secretary-first-had-an-obtained through-the-chief-of-the-bureau-in-which-said-employee-serves. Permission-to-employees-of-the-department-to-engage-in-outside-work will-not-be-granted--~~

(a) If the outside work or any of it is to be performed during official hours.

> (Note: The practice of taking annual leave intermittently ~~or~~ by hours or days in order to do outside work ~~is~~ should be discouraged, the main purpose of annual leave thereby being defeated.)

(b) If the efficiency of the employee may be impaired by the performance of the outside duties~~; i.e.~~, that is, where the outside duties are of such an onerous or fatiguing nature as to injure the health of the employee or to prevent him from doing ~~his~~ the best work during official hours.

(c) If the work to be done in a private capacity may be construed by the public to be the official acts of the Department.

(d) If the business connections to be established or ~~the~~ property interests to be acquired may result in a conflict between the private interests of the employee and his official ~~duties,~~ duty or tend to bias his judgment.

(e) If the doing of such work may involve the use of information secured as the result of employment in the Department to the detriment of the public service.

(f) If such employment may tend to bring criticism ~~upon,-or cause-embarrassment-to,-the-department.~~ on the Department or cause

embarrassment.

(Note: Employees will not accept office in, nor permit the use of their names in the advertising matter of organizations commercializing the results of research work conducted by the Department, irrespective of any merits which such enterprises may appear to possess.)

(g) If the work relates to a written discussion of policies or official work of the Department, except as provided in paragraph 171 of these Regulations.

~~Chiefs-of-bureaus,-with-the-approval-of-the-Secretary,-may-permit-employees,-when-authorized-by-law-or-Executive-order,-to-accept the-position-of-school-trustee-or-school-director,-either-with-or without-compensation,-when,-in-their-judgment,-service-as-a-school trustee-or-school-director-will-not-impair-the-efficiency-of-their service-in-the-department-or-does-not-involve-circumstances-rendering the-action-undesirable,-and-provided-that-such-employees-are-merely passive-or-inactive-candidates-for-appointment-or-election-and-such candidacy-does-not-involve-or-necessitate-activity-in-political management-or-in-a-political-campaign.---The-names-of-all-employees who-are-authorized-to-accept-appointment-as-school-trustee-or-school director-must-be-promptly-reported-to-the-Office-of-the-Secretary.~~

171. Material for Outside Publication.--Employees of the Department, when requested to do so, may be permitted to prepare for publication textbooks, articles and similar publications upon special subjects connected with the policies and unpublished work of the department. Work of this character should not be permitted to encroach upon the time, energy, and attention required by employees for the effective prosecution of their departmental duties, whether in research, extension, or other work, and should be undertaken only after thorough consideration and approval ~~by the advisory committee on outside publications~~ of the Chief of the Bureau or Bureaus concerned, and approval by the Assistant Secretary in charge of publication activities. A definite outline of each such contemplated publication should be submitted to the Assistant Secretary by the chief of the bureau, with his recommendation. ~~The advisory committee will report the results of its examination in each case to the Assistant Secretary.~~

~~The same procedure will govern the preparation of articles by employees of the department on subjects relating to the work of the department which are intended for publication in outside journals and magazines, with this exception: Manuscripts of articles themselves must be submitted to the Assistant Secretary in charge of publication activities, through the chiefs of bureaus. He will determine whether it is necessary to refer them to the advisory committee for consideration, and, if such reference is not deemed necessary, will approve or disapprove their~~

~~publication.~~ This procedure should be followed whether or not compensation is expected, except that articles on strictly agricultural subjects of a purely local character, prepared by the demonstration or other local agents of the department for the information and guidance of farmers in their respective districts, may be published in county or other papers of restricted distribution, upon the approval of such articles by the district or State supervisory officer. Such officers should not, however, permit the publication of any matter of a controversial nature or which does not strictly pertain to the work under their charge.

Authors should notify the librarian of the department when articles prepared by them are published in outside journals or papers. If the librarian does not have copies of publications containing articles authors are expected to furnish the librarian a copy of each article as it finally appeared, either in printed or manuscript form.

The preparation by employees of the department of books or articles on subjects not including the unpublished results of department work nor including a discussion of the policies of the department is not contemplated in the foregoing, but is subject to the limitations upon other forms of outside work prescribed by paragraph 44 of these Regulations. If the books or articles relate to published work done by the author while in the employ of the Department, or if the author's connection with the Department is in any way shown, the approval of the Bureau Chief must

be secured.

Books-or-articles-prepared-or-proposed-to-be-prepared-by employees-of-the-department-on-subjects-not-related-to-the-work of-the-department-are-not-contemplated-in-the-foregoing,-and-the same-rules-will-govern-the-granting-of-permission-to-do-such-work as-for-doing-other-kinds-of-outside-work.--(See-pars.-43-and-44 of-these-regulations.)

OFFICE OF
THE SECRETARY OF AGRICULTURE

9/27

Mr Ashley

Pls have checked to see if all ok technically. Then when you are down here sometime pls bring up. How about teaching w permission of C of C?

DEPARTMENT OF AGRICULTURE
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D. C.

September 21, 1922.

MEMORANDUM FOR THE SECRETARY

Dear Mr. Secretary:

I recommend, after careful consideration, amendment of Paragraphs 44 and 171 of Administrative Regulations as per attached. Dr. Ball has been consulted and approves.

The amendment to Paragraph 44 definitely prohibits certain types of outside work, and does away with the necessity of securing the approval of the Secretary for all forms of outside work.

The amendment to 171,

1. Permits writing of books and articles connected with policies or unpublished work of Department, provided approval of Bureau Chief and Secretary's Office is secured.

2. Provides that if articles relate to published work of Department, or if author's connection with the Department is in any way shown, approval of Bureau Chief must be secured.

Sincerely,

C. W. Ingersoll

Assistant Secretary.

Enclosure.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

September 7, 1922.

MEMORANDUM NO.

Amendment to the Administrative Regulations.

Paragraph 44 of the Administrative Regulations (relating to outside work) is hereby amended to read as follows:

44. OUTSIDE WORK. - No officer or employee engaged continuously on work in the Department shall perform or be engaged in any work for private individuals, firms, companies, organizations or institutions,

(a) If the outside work or any of it is to be performed during official hours.

(Note: The practice of taking annual leave intermittently by hours or days in order to do outside work should be discouraged, the main purpose of annual leave thereby being defeated.)

(b) If the efficiency of the employee may be impaired by the performance of the outside duties, that is, where the outside duties are of such an onerous or fatiguing nature as to injure the health of the employee or to prevent him from doing the best work during official hours.

(c) If the work to be done in a private capacity may be construed by the public to be the official acts of the Department.

(d) If the business connections to be established or property interests to be acquired may result in a conflict between the private interests of the employee and his official duty or tend to bias his judgment.

(e) If the doing of such work may involve the use of information secured as the result of employment in the Department to the detriment of the public service.

(f) If such employment may tend to bring criticism on the Department or cause embarrassment.

(Note: Employees will not accept office in, nor permit the use of their names in the advertising matter of organizations commercializing the results of research work conducted by the Department, irrespective of any merits which such enterprises may appear to possess.)

(g) If the work relates to a written discussion of policies or official work of the Department, except as provided for in paragraph 171 of these Regulations.

add H

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

May , 1922.

MEMORANDUM NO.

Amendment to the Administrative Regulations. (relating to outside work)

Paragraph 44 of the Administrative Regulations is hereby amended to read as follows:

44. OUTSIDE WORK.-No officer or employee engaged continuously on work in the Department shall perform or be engaged in any work for private individuals, firms, companies, organizations or institutions,

(a) If the outside work or any of it is to be performed during official hours.

(Note: The practice of taking annual leave intermittently by hours or days in order to do outside work should be discouraged, the main purpose of annual leave thereby being defeated.)

(b) If the efficiency of the employee may be impaired by the performance of the outside duties, that is, where the outside duties are of such an onerous or fatiguing nature as to injure the health of the employee or to prevent him from doing the best work during official hours.

(c) If the work to be done in a private capacity may be construed by the public to be the official acts of the Department.

(d) If the business connections to be established or property interests to be acquired may result in a conflict between the private interests of the employee and his official duty or tend to bias his judgment.

(e) If the doing of such work may involve the use of information secured as the result of employment in the Department to the detriment of the public service.

(f) If such employment may tend to bring criticism on the Department or cause embarrassment.

(g) If the work relates to a written discussion of policies or official work of the Department, except as provided for in paragraph 171 of these Regulations.

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

~~April 27~~ May, 1922.

MEMORANDUM NO. _____

~~Outside Work.~~
Amendment to the Administrative Regulations.

Paragraph 44 of the Administrative Regulations is hereby amended to read as follows:

44. Outside Work.- "No officer or employee engaged continuously on work in the Department shall perform or be engaged in any work for private individuals, firms, companies, organizations or institutions,

"(1) If the outside work or any of it is to be performed during official hours,

(Note: The practice of taking annual leave intermittently by hours or days in order to do outside work should be discouraged, the main purpose of annual leave thereby being defeated.)

"(2) If the efficiency of the employee may be impaired by the performance of the outside duties, that is, where the outside duties are of such an onerous or fatiguing nature as to injure the health of the employee or to prevent him from doing the best work during official hours.

"(3) If the work to be done in a private capacity may be construed by the public to be the official acts of the Department.

"(4) If the business connections to be established or property interests to be acquired may result in a conflict between the private interests of the employee and his official duty or tend to bias his judgment,

"(5) If the doing of such work may involve the use of information secured as the result of employment in the Department to the detriment of the public service.

"(6) If such employment may tend to bring criticism on the Department or cause embarrassment.

"(7) If the work relates to a written discussion of policies or official work of the Department, except as provided for in paragraph 171 of these Regulations.

Secretary.

May , 1922.

MEMORANDUM NO.

Amendment to the Administrative Regulations.

Paragraph 44 of the Administrative Regulations is hereby amended to read as follows:

44. OUTSIDE WORK.-No officer or employee engaged continuously on work in the Department shall perform or be engaged in any work for private individuals, firms, companies, organizations or institutions,

(1) If the outside work or any of it is to be performed during official hours.

(Note: The practice of taking annual leave intermittently by hours or days in order to do outside work should be discouraged, the main purpose of annual leave thereby being defeated.)

(2) If the efficiency of the employee may be impaired by the performance of the outside duties, that is, where the outside duties are of such an onerous or fatiguing nature as to injure the health of the employee or to prevent him from doing the best work during official hours.

(3) If the work to be done in a private capacity may be construed by the public to be the official acts of the Department.

(4) If the business connections to be established or property interests to be acquired may result in a conflict between the private interests of the employee and his official duty or tend to bias his judgment.

(5) If the doing of such work may involve the use of information secured as the result of employment in the Department to the detriment of the public service.

(6) If such employment may tend to bring criticism on the Department or cause embarrassment.

(7) If the work relates to a written discussion of policies or official work of the Department, except as provided for in paragraph 171 of these Regulations.

Secretary.

United States Department of Agriculture,

Division of Accounts and Disbursements,

Washington, D. C.

May 3, 1922.

MEMORANDUM FOR MR. W. A. JUMP.

Dear Mr. Jump:

The amendments to paragraphs 44 and 171 of the Administrative Regulations, referred by you informally to the Advisory Committee on Finance and Business Methods, have been carefully considered and certain changes made therein, as indicated in red ink on the original copies returned herewith. As changed, the Committee is of the opinion that they should be approved and promulgated.

Very respecfully,

A Gappone

Chairman, Advisory Committee on Finance
and Business Methods.

Enclosures.

Paragraph 44 of the Administrative Regulations

"No employee engaged continuously on work of the department shall perform any work for private individuals, firms, companies, corporations, or institutions without the written consent of the Secretary first had and obtained through the chief of the bureau in which said employee, serves. Permission to employees of the department to engage in outside work will not be granted--

"(a) If the outside work, or any of it, is to be performed during official hours. The practice of taking annual leave intermittently or by hours or days, in order to do outside work, is discouraged, the main purpose of annual leave thereby being defeated.

"(b) If the efficiency of the employee may be impaired by the performance of the outside duties; i.e., where the outside duties are of such onerous or fatiguing nature as to injure the health of the employee or prevent him from doing his best work during official hours.

"(c) If the work to be done in a private capacity may be construed by the public to be the official acts of the department.

"(d) If the business connections to be established or the property interests to be acquired may result in a conflict between the private interests of the employee and his official duties, or tend to bias his judgment.

"(e) If the doing of such work may involve the use of information secured as the result of employment in the department to the detriment of the public service.

"(f) If such employment may tend to bring criticism upon, or cause embarrassment to, the department.

Chiefs of bureaus, with the approval of the Secretary, may permit employees, when authorized by law or Executive order, to accept the position of school trustee or school director, either with or without compensation, when, in their judgment, service as a school trustee or school director will not impair the efficiency of their service in the department or does not involve circumstances rendering the action undesirable, and provided that such employees are merely passive or inactive candidates for appointment or election and such candidacy does not involve or necessitate activity in political management or in a political campaign. The names of all employees who are authorized to accept appointment as school trustee or school director must be promptly reported to the Office of the Secretary."

Paragraph 14 of the Executive Regulations.

"No employee engaged continuously or part of the month shall perform any work for private individuals, firms, companies, corporations, or institutions within the period of the Secretary first had and shall have power, on and if the person in which such employee serves. Permission to employee of the government to engage in private work will not be granted.

"(a) If the outside work, or any of it, is to be performed during official hours. The practice of taking annual leave intermittently or by hours or days, in order to do outside work, is discouraged, the sole purpose of annual leave being defeated.

"(b) If the efficiency of the employee may be impaired by the performance of the outside activity i.e., where the outside duties are of such onerous or exhausting nature as to injure the health of the employee or prevent him from doing his best work during official hours.

"(c) If the work to be done in a private capacity may be construed by the public to be the official acts of the department.

"(d) If the business connections to be established or the property interests to be acquired may result in a conflict between the private interests of the employee and his official duties, or tend to bias his judgment.

"(e) If the acting of such work may involve the use of information secured as the result of employment in the department to the detriment of the public service.

"(f) If such employment may tend to bring criticism upon, or cause embarrassment to, the department.

Heads of bureaus, with the approval of the Secretary, may permit employees, when authorized by law or departmental order, to engage in the practice of annual trades or annual industry, either with or without compensation, work, in their judgment, service as a school teacher or school director will not impair the efficiency of their service in the department or may not involve circumstances regarding the public wellbeing, and provided that such employees are merely passive or inactive executives for education or school and such membership does not involve or necessitate activity in political management or in a political campaign. The name of all employees who are authorized to engage apprentices as school teacher or school director must be promptly reported to the Chief of the Personnel."

OFFICE OF THE ASSISTANT SECRETARY.

MEMORANDUM.

January 28, 1922.

Jump:

What does the Secretary think of this policy? I called Official Record people for including list permits. Fear it will stimulate too much of this. I am inclined to be liberal in these requests but realize that it is a great temptation to neglect other work when one can write for pay.

Mr Pugsley
The Secretary would like to talk with you about this when convenient
WOJ

8/10

March 4, 1922.

MEMORANDUM NO. _____

Outside Work

Paragraph 44 of the Administrative Regulations is hereby amended to read as follows:

"No officer or employee engaged continuously on work in the Department shall perform or be engaged in any work for private individuals, firms, companies, organizations or institutions.

"(1) If the outside work or any of it is to be performed during official hours,

(Note: The practice of taking annual leave intermittently by hours or days in order to do outside work should be discouraged, the main purpose of annual leave thereby being defeated.)

"(2) If the efficiency of the employee may be impaired by the performance of the outside duties, that is, where the outside duties are of such an onerous or fatiguing nature as to injure the health of the employee or to prevent him from doing the best work during official hours.

"(3) If the work to be done in a private capacity may be construed by the public to be the official acts of the Department,

"(4) If the business connections to be established or property interests to be acquired may result in a conflict between the private interests of the employee and his official duty or tend to bias his judgment,

"(5) If the doing of such work may involve the use of information secured as the result of employment in the Department to the detriment of the public service,

"(6) If such employment may tend to bring criticism on the Department or cause embarrassment."

"(7) If the work relates to a written discussion of policies or official work of the department."

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

October 24, 1922.

MEMORANDUM No. 403.

Weekly Reports by Temporary Special Disbursing Agents.

In order that the classified record of expenditures established in the Disbursing Office by Memorandum No. 387, dated July 1, 1922, may, so far as practicable, be current, each bureau concerned will instruct its temporary special disbursing agents that beginning October 1, 1922, the information required by Memorandum No. 387 should be reported weekly, on forms like the sample attached, a supply of which may be obtained from the Disbursing Clerk. The forms should be carefully prepared and should indicate, in addition to the information required by Memorandum No. 387, the name of the disbursing agent, the voucher number, and the date of payment. They should be prepared by the disbursing agent after payment of accounts, assembled in numerical order by voucher numbers with a cover form or summary, sample enclosed, and transmitted weekly through the bureau to the Disbursing Clerk. The forms should be examined by the bureau as to correctness and completeness, and a memorandum entry thereof made in their books for verification against the quarterly abstract.

Upon receipt of accounts of temporary special disbursing agents for the September 1923 quarter the respective bureaus will see that each voucher included therein is properly coded before the accounts are forwarded to the Disbursing Clerk for transmission to the General Accounting Office.

Temporary special disbursing agents outside of the limits of the continental United States are excepted from the above.

C. W. Pugsley
Acting Secretary.
OK WRG

United States Department of Agriculture,
Division of Accounts and Disbursements,
Washington, D. C.

September 27, 1922.

MEMORANDUM FOR THE SECRETARY.

Dear Mr. Secretary:

There is enclosed herewith a proposed memorandum which was presented by the Disbursing Clerk of the Department to the Advisory Committee on Finance and Business Methods for consideration. The object of the memorandum is to have the temporary special disbursing agents make weekly reports on vouchers paid by them in order that the classified record of expenditures recently established may be current, so far as practicable. Unless some such arrangement is made, the Disbursing Clerk will be unable to take up these disbursements only once every three months.

The Committee has carefully considered the matter and can readily see the advantage of having the record as nearly complete as possible at all times, and as the fiscal agents of the Forest Service report weekly it is thought that the temporary special disbursing agents should do likewise. However, it is believed to be impracticable to have these agents outside of the limits of the continental United States report weekly, and they are accordingly exempted by the memorandum.

The Committee earnestly recommends your approval of the attached memorandum and the issuance of same in order that the proposed plan may be put into effect at an early date.

Very respectfully,

R. G. Pogue

Chairman, Advisory Committee on Finance and Business Methods.

Enclosures.

[illegible]

[illegible], 1930.

Dear Mr. Secretary:

[illegible] presented by the Executive Clerk of the Department to the Advisory Committee on Library and Archives Matters for consideration. The subject of the material was in the temporary personal custody of Sergeant Major Moody in, and on various pair by them in order that the classified records of expeditions recently established may be summed.

Therefore, there will be needed to take up these arrangements at [illegible].

The Committee has carefully considered the matter and can report in all times, as in the final report of the Joint Service report [illegible]. However, it is assumed to be impracticable [illegible] in the limits of the constitutional limits [illegible] report.

F

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

October 26, 1922.

MEMORANDUM NO. 404

Survey of Space Assignments.

At the request of the Secretary, the Chief of the United States Bureau of Efficiency has assigned Mr. Wilson E. Wilmot and Mr. Malcolm E. Keplin, of the staff of that Bureau, to make a survey of the present space assignments of this Department in Washington, with a view to determining whether some re-assignment of space occupied can be made to advantage. These gentlemen are instructed by the Bureau of Efficiency to make a careful study of the space situation in order to enable that bureau to suggest to the Department any improvements which may seem feasible under the present conditions. They are authorized by the Secretary to request information and cooperation from any officer or employee of the Department in Washington, and it is requested that all members of the Department cooperate in this work to the fullest extent in order that the best results may be secured.

At present the Department occupies parts of forty odd buildings in different parts of the city. One bureau has space in nine different buildings. It will be the aim to re-group the branches so that the units of any one bureau may be as nearly together as possible.

Officers and employees of the Department are invited to make direct suggestions to the representatives of the Bureau of Efficiency or to Mr. R. M. Reese, the Chief Clerk of the Department, of ways in which they believe the housing situation can be improved with the space at present assigned to the Department.

C W Pugsley
Acting Secretary.

Noted by Pres

Distributed to all branches. 10-30-22.

Proposed Item for
Official Record.

At the request of Secretary Wallace the Director of the United States Bureau of Efficiency has assigned two of the experts of that Bureau, Mr. Wilson E. Wilmot and Mr. Malcolm Curlin, to make a complete survey of the present space occupied by the various bureaus of the Department in Washington, with a view to determine whether some re-assignment of space could be made to advantage. The housing committee of the Department, of which Assistant Secretary Pugsley is chairman, has formulated a building program with a view to giving some permanent relief, but the Bureau of Efficiency experts have been called upon in order to see whether some immediate relief can not be afforded pending the actual carrying out of the permanent building program, which may take some time to accomplish.

Under the present arrangement the Department occupies parts of forty buildings in different parts of Washington. Some of the bureaus have offices in a number of different buildings, which requires innumerable delays, an expensive and elaborate messenger service, and greatly handicaps the efficient administration of the Department work. For instance, one bureau has space in nine different buildings. It will be the aim of the Bureau of Efficiency men to propose feasible plans whereby a bureau like this may be placed in one building, or, if that is not feasible, in several closely adjacent buildings, instead of in the nine buildings at present widely scattered. It is pointed out that any consolidation

of the work will be of advantage.

In order that the best results may be secured the Secretary has requested that all of the officers and employees of the Department cooperate fully with the Bureau of Efficiency engineers and the Department employees who may be associated with them in this work. If any of the employees of the Department have suggestions or recommendations for better utilization of the space at present occupied by the Department, they are invited to submit them directly to the gentlemen representing the Bureau of Efficiency or to Mr. Reese, the Chief Clerk, who will see that they are placed in their hands.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

File copy

November 7, 1922.

MEMORANDUM NO. 405.

Amendments to the Fiscal Regulations.

Paragraphs 58 and 59 of the Fiscal Regulations of the Department are hereby amended to read as follows:

58. ANIMALS AND MOTOR VEHICLES FURNISHED BY FOREST OFFICERS; SUBSISTENCE, HOUSING, AND HIRE.- Officers or employees of the Forest Service of any grade or salary may, in the discretion of such officers as the Forester may designate, be required to furnish saddle and other animals, or motor vehicles, and equipment, necessary for the performance of their official business. All animals, vehicles and equipment so furnished will be furnished under a contract of hire which will be in writing.

If an emergency should develop requiring the use of additional animals, motor vehicles or equipment not covered by written contract, officers or employees of the Forest Service of any grade or salary are required to furnish such additional animals, motor vehicles, or equipment as may be necessary for emergency fire fighting, trail building or other official business. If such animals, motor vehicles or equipment be lost, damaged or destroyed while in use on official business, the owner, upon proper proof, may be reimbursed therefor in the discretion of the Secretary of Agriculture, under the provisions of the Act of March 4, 1913.

Forage for animals will be furnished and mileage for motor vehicles will be paid while being used on official business. Housing of animals and vehicles will also be furnished in whole or in part by the Forest Service as may be deemed equitable by the Forester.

59. REIMBURSEMENT FOR LOST OR DAMAGED PROPERTY.- Every claim for reimbursement under the Act of March 4, 1913, for loss, damage, or destruction of horses, vehicles, or other equipment while being used for necessary fire fighting, trail, or official work, must be vouchered separately and transmitted directly to the Secretary of Agriculture for consideration and approval. Each claim submitted under this paragraph must be accompanied by a detailed statement setting forth the following information:

STATEMENT TO ACCOMPANY CLAIM OF _____

FOR REIMBURSEMENT OF DAMAGE TO PROPERTY UNDER THE ACT OF MARCH 4, 1913.

1.-Owner: _____ Address: _____

a.-Was the owner an employee of the United States at the time the equipment stock or vehicle was damaged? _____

b.-Salary _____ c.-Title _____

d.-Was he on leave with pay? _____ Without pay? _____

e.-Did terms of his appointment require the equipment or stock to be furnished, in addition to his services? _____

2.-Equipment, stock, or vehicles hired.

a.-Kind: _____ b.-Date received: _____

c.-Was the equipment, stock, or vehicle in apparent good condition when received? _____

3.-Contract of hire.

a.-State terms of contract under which equipment, stock, or vehicle was hired _____

_____

_____

b.-Consideration: _____

_____

4.-Date and extent of damage.

a.-Date placed in service: _____

b.-Date damaged: _____ c.-Nature of damage _____

_____

d.-Amount: _____ e.-Cost new _____

f.-Cost to present owner_____ g.-Date of purchase by

present owner_____ h.-Other factors_____

_____

i.-Attach statements of disinterested parties as to value of equipment and extent of damage.

5.-Responsibility of the Department.

a.-By whom was equipment or stock being used at time of damage_____

_____ b.-Extent to which the equipment

or stock was damaged_____

c.-Manner in which loss or damage occurred_____

_____

d.-Was the equipment or stock improperly used; that is, was there neglect, carelessness or poor judgment on the part of the user?_____

6.-Is insurance of any kind carried on the equipment, stock, or vehicle?_____

_____.

7.-If above question is answered in the affirmative, state in full the kind of insurance and the amount; also give name and address of the company, amount of damages applied for or collected, as result of the above described accident.

_____

_____

8.-Attached hereto is a statement of the owner of the property which I have read carefully, and desire to comment upon as follows:_____

_____

_____

_____ _____

Date. Supervising Officer.

Reimbursement for loss, damage, or destruction can not be made for property owned by Government officers or employees unless there is a bona fide contract of hire between the owner and another officer or employee of the Department, nor can reimbursement be made unless it appears that the property was actually in use at the time of loss, damage or destruction, or as an incident to such use, and that the same occurred as a result of unusual stress or accident which may reasonably be expected to cause damage to any property of a class similar to that upon which the claim is based.

Henry A. Wallace

Secretary.

F

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

November 6, 1922.

Mr. Secretary:

This is the plan worked out to endeavor to put an end to what has been a source of considerable delay, irritation, and confusion during the past year. It involves claims against the Department which by law can be paid by the Secretary's administrative approval for the loss of privately owned horses, vehicles, etc., used by employees of the Forest Service in carrying out their official duties. The trouble has been that the cases as put up by the Forest Service, while meeting the legal necessities of the case, have not seemed to the Office of Inspection nor to this office as making sufficiently clear cases to justify the payment by the Government of the damages in each case. In other words, it has not seemed to us that the interests of the Government were quite sufficiently looked after.

The matter has now been considered by the Solicitor and the Advisory Committee on Finance and Business Methods, and the new regulations herewith presented, which are acceptable to the Forest Service representative, are submitted for your approval. The new procedure is arranged in such a way as to, we hope, eliminate the difficulty which has obtained in the past by establishing well in advance the exact conditions under which horses and vehicles are to be used by Forestry employees and then the Government held liable in case of damage to them.

wag

United States Department of Agriculture,

Division of Accounts and Disbursements,

Washington, D. C.

October 25, 1922.

MEMORANDUM FOR THE SECRETARY.

Dear Mr. Secretary:

The Advisory Committee on Finance and Business Methods has carefully considered the attached file of papers relating to animals and vehicles furnished by Forest officers which was referred to it for consideration and recommendation.

The Committee thoroughly discussed the matter with Mr. Kelleter of the Forest Service and Mr. Ward of the Office of Inspection and is of the opinion that in the interest of good administration and in order to enable the Forest Service to handle these cases without submitting each claim to you for approval it will be necessary to amend the Fiscal Regulations of the Department. Accordingly, the Committee has prepared and there is enclosed herewith a memorandum proposing to amend paragraphs 58 and 59 of the Fiscal Regulations, and it is recommended that same be approved and promulgated.

In accordance with the above there is also enclosed herewith for your approval the modification of Regulation A-4 of the rules and regulations for the occupancy, use, protection and administration of the National Forests, effective on and after November 1, 1922, and to constitute a part of the National Forest Manual. This is as recommended by the Forest Service, has received the indorsement of the Solicitor of the Department, and the Committee urges that this modification also be approved by you.

Very respectfully,

A Gappone

Chairman, Advisory Committee on Finance
and Business Methods.

Enclosures.

OFFICE OF
THE SECRETARY OF AGRICULTURE

10/31

Mr Ashley

Did I understand you to say the Forest Service had concurred in this? Also, is it advisable to have a regular fiscal regulation applicable to only one bureau?

WJB

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SECRETARY OF AGRICULTURE
OFFICE OF INSPECTION

November 2, 1922.

Dear Mr. Jump:

These regulations, in their present form, were pronounced acceptable to the Forest Service by Mr. Paul Kelleter at a recent meeting of the Finance Committee in Mr. Zappone's office.

I see no particular objection to having a fiscal regulation which applies to only one bureau, as in this instance. The matter has been the subject of regulation in this form for some time and the fiscal regulations contain numerous instances where certain bureaus receive special treatment or special consideration. In a word, we have ample precedent for handling this matter in this way.

Very truly yours,

Ashley

Inspector.

A T

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

F

November 6, 1922.

Mr. Secretary:

This is the plan worked out to endeavor to put an end to what has been a source of considerable delay, irritation, and confusion during the past year. It involves claims against the Department which by law can be paid by the Secretary's administrative approval for the loss of privately owned horses, vehicles, etc., used by employees of the Forest Service in carrying out their official duties. The trouble has been that the cases as put up by the Forest Service, while meeting the legal necessities of the case, have not seemed to the Office of Inspection nor to this office as making sufficiently clear cases to justify the payment by the Government of the damages in each case. In other words, it has not seemed to us that the interests of the Government were quite sufficiently looked after.

The matter has now been considered by the Solicitor and the Advisory Committee on Finance and Business Methods, and the new regulations herewith presented, which are acceptable to the Forest Service representative, are submitted for your approval. The new procedure is arranged in such a way as to, we hope, eliminate the difficulty which has obtained in the past by establishing well in advance the exact conditions under which horses and vehicles are to be used by Forestry employees and then the Government held liable in case of damage to them.

U. S. DEPARTMENT OF AGRICULTURE
DIVISION OF ACCOUNTS AND DISBURSEMENTS
WASHINGTON, D. C.

8—4319

October 21, 1922.

Dear Mr. Kelleter:

Herewith find the "dead horse" papers, and the proposed memorandum amending paragraphs 58 and 59 of the Fiscal Regulations. This has the approval of the Finance Committee, and has also been passed upon by the Solicitor. Will you kindly look them over again and let me know if all right.

Respectfully,

A Gappone

Form No. _____

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Horse Contract.

_____
Place.

Name	Horse or Mule: Sex	Color	Brand	Height: hands	Weight: lbs.	Cost to: present owner	Appraised: value	Remarks

The foregoing animals are furnished by the undersigned in accordance with Regulation A-4 of the National Forest Manual.

Liability for animals injured or killed during the period of hire is assumed by the Forest Service. The Forest Service will not compensate the owner for death occuring through disease or old age or injury or death due to negligence by him.

Reimbursement for animals injured or killed will be based upon consideration of the appraised value and any other factors which may be germane.

Decision as to reimbursement under this contract, and the amount thereof, will be made by the District Forester.

Animals furnished under this contract must be serviceable and in healthy condition.

This contract may be terminated at any time by the Forester or his authorized representative.

I hereby agree to the above stipulations:

(Signed) _____
Owner

_____ 19_____.

The above described animals were delivered this _____ day of _____ 19_____.

(Signed) _____
Hiring Officer.

Form No. _____

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Vehicle Contract

_____
Place

Kind of Vehicle	Year of Manufacture	Date Purchased	Cost to present owner	Appraised value	Defects noticed General condition

The foregoing vehicles are furnished by the undersigned in accordance with Regulation A-4, National Forest Manual.

Reimbursement for the use of _____ will be at the rate of _____ cents per mile. The cost of housing will be borne by the Forest Service.

Liability for loss of or damage to vehicles during the period of hire will be assumed by the Forest Service. The Forest Service will not compensate the owner for loss or damage due to negligence or to ordinary wear and tear.

Reimbursement for vehicles damaged or destroyed during the period of hire will be based upon consideration of the appraised value and any other factors which may be germane.

Decision as to reimbursement under this contract, and the amount thereof, will be made by the Forester.

Vehicles furnished under this contract must be serviceable and in good condition.

This contract may be terminated at any time by the Forester or his authorized representative.

I hereby agree to the above stipulations:

(Signed) _____
Owner

Date _____ 19____

The above described vehicles were delivered this _____ day of _____ 19____

(Signed) _____
Hiring Officer.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

OFFICE OF INSPECTION
FILE NO.

Adv Com on F.B.M.
WCS

September 15, 1922.

MEMORANDUM FOR MR. ASHLEY.

Dear Mr. Ashley:

I transmit herewith a proposed amendment to Paragraph 59 of the Fiscal Regulations which provides in detail the procedure to be followed in the case of claims for loss, damage or destruction of horses, vehicles, or other equipment while being used in necessary fire fighting, trail, or official work as contemplated by the Act of March 4, 1913. The material change between the proposed regulation and that in existence at the present time is the inclusion therein of the nature of the detailed information required to accompany the claim and the further provision that claims of this character will be transmitted directly to the Secretary of Agriculture for consideration.

The adoption of a regulation of this character will eliminate an embarrassing procedure which has grown up in the presentation of certain of these claims, under which the claims are forwarded by the bureau to the Solicitor for consideration on the facts submitted by the bureau. Upon receipt of a favorable opinion the claim is then transmitted by the bureau to the Secretary with a request for its approval. Embarrassment naturally develops should it appear to the Secretary's office that the information placed before the Solicitor was not apparently sufficient in some particular to enable a full consideration of the merits of the case.

It is presumed that the matter will be referred to the Finance Committee for consideration and recommendation.

Very truly yours,

Herbert S. Shand
Inspector.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

OFFICE OF INSPECTION
FILE NO. 652-5

October 10, 1922.

MEMORANDUM FOR MR. ZAPPONE,
Chairman, Committee on Finance and Business Methods.

Dear Mr. Zappone:

Before the committee considers the proposed amendment to Paragraph 59 of the Fiscal Regulations, will you not kindly make the following changes in the draft now in your hands:

After the line in Question 1 of the statement to accompany claim reading, "b. Salary:_____ c. Title_____," insert a line reading:

"d. Was he on leave with pay?_____ without pay?_____"

and change the present "Question d" to "Question e."

We have just had under consideration in the Office of Inspection a case in which the additional information was necessary to a proper determination of the propriety of administrative approval.

Very truly yours,

Alex. McC. Ashley

Inspector in charge.

Change made.
E.P.
10/13/23

A/T

Paragraph 59, Fiscal Regulations:

Every claim for reimbursement under the Act of March 4, 1913, for loss, damage, or destruction of horses, vehicles, or other equipment while being used for necessary fire fighting, trail, or official work, must be vouchered separately and transmitted directly to the Secretary of Agriculture for consideration and approval. Each claim submitted under this paragraph must be accompanied by a detailed statement setting forth the following information:

STATEMENT TO ACCOMPANY CLAIM OF _____

FOR REIMBURSEMENT OF DAMAGE TO PROPERTY UNDER THE ACT OF MARCH 4, 1913.

1.-Owner:_____ Address:_____

a.-Was the owner an employee of the United States at the time the equipment stock or vehicle was damaged?_____

b. Salary_____ c. Title_____

d. Was he on leave with pay?_____ Without pay?_____

e. Did terms of his appointment require the equipment or stock to be furnished, in addition to his services?_____

2.-Equipment, stock, or vehicles hired.

a.-Kind:_____ b. Date received:_____

c. Was the equipment, stock, or vehicle in apparent good condition when received?_____

3.-Contract of hire.

a.-State terms of contract under which equipment, stock, or vehicle was hired_____

_____

_____

b. Consideration:_____

_____

4.-Date and extent of damage.

a.-Date placed in service:_____

b. Date damaged:_____ c. Nature of damage_____

_____

d. Amount:_____ e. Cost new_____

f. Cost to present owner_____ g. Date of purchase by present owner_____ h. Other factors_____

_____

i. Attach statements of disinterested parties as to value of equipment and extent of damage.

5.-Responsibility of the Department.

a.-By whom was equipment or stock being used at time of damage_____

_____ b. Extent to which the equipment or stock was damaged_____

c. Manner in which loss or damage occurred_____

_____

d. Was the equipment or stock improperly used; that is, was there neglect, carelessness or poor judgment on the part of the user?_____

6.-Is insurance of any kind carried on the equipment, stock, or vehicle?_____

_____.

7.-If above question is answered in the affirmative, state in full the kind of insurance and the amount; also give name and address of the company, amount of damages applied for or collected, as result of the above described accident.

_____

_____

8.-Attached hereto is a statement of the owner of the property which I have read carefully, and desire to comment upon as follows:_____

_____

_____

_____ _____

Date Supervising Officer

Reimbursement for loss, damage, or destruction can not be made for property owned by Government officers or employees unless there is a bona fide contract of hire between the owner and another officer or employee of the Department, nor can reimbursement be made unless it appears that the property was actually in use at the time of loss, damage, or destruction, or as an incident to such use, and that the same occurred as a result of unusual stress or accident which may reasonably be expected to cause damage to any property of a class similar to that upon which the claim is based.

Paragraphs 58 and 59, Fiscal Regulations.

The proposed regulations are so different in wording, etc., from the present regulations that the changes in language, etc., cannot well be indicated in a copy intended for comparative purposes. However, the regulations at present are as follows:

58. ANIMALS AND MOTOR VEHICLES FURNISHED BY FOREST OFFICERS; SUBSISTENCE, HOUSING, AND HIRE.- Forest officers or employees of any grade or salary regularly assigned to field duty on the National Forests may, in the discretion of the district forester, be required to furnish and keep at their own expense saddle and other animals or motor vehicles necessary for personal transportation in the performance of official travel. Feed for animals and housing for animals or motor vehicles so furnished will be provided in whole or in part by the Forest Service, as may be deemed equitable by the forester. The necessary feed may be obtained by purchase or may be grown on the National Forest lands at Government expense. The number of animals required and the period during which such animals are to be subsisted in whole or in part at Government expense shall be fixed by the district forester.

When advantageous to the United States, Forest officers who are not required by their contracts of employment to own and equip saddle and other animals and motor vehicles may, under such restrictions as may be prescribed by the forester, hire their personally-owned animals or motor vehicles for official use to other Forest officers having authorization entitling them to reimbursement for such hire when the animals or motor vehicles will not be needed by their owners for their personal transportation in the performance of official travel during the period for which they are to be hired: Provided, That the rate of hire for motor vehicles shall in no case exceed 7 cents per mile for an automobile and 3 cents per mile for a motorcycle, which shall include all expenses of operation.

Extra animals and equipment for private or domestic use may be kept on the Forests without expense to the Government.

59. REIMBURSEMENT FOR LOST OR DAMAGED PROPERTY.- Claims for reimbursement for loss, damage, or destruction of horses, vehicles or other equipment while being used for necessary fire fighting, trail, or official work must be accompanied by satisfactory evidence of ownership, the fact and extent of the loss, damage, or destruction of the property, the responsibility of the department, and the valuation. Reimbursement can not be made for property owned by Government officers or employees for loss, damage, or destruction unless there is a bona fide contract of hire covering such property between themselves and another officer or employee of the department. All claims under this paragraph must be approved by the Secretary before payment.

[illegible]

[illegible] by [illegible] drivers; [illegible] the district forester, be required to furnish [illegible] such [illegible] and other animals or motor vehicles [illegible] official transportation in the performance of official [illegible] or [illegible] for animals or motor vehicles [illegible] in whole or in part by the Forest Service, [illegible] by the forester. The necessary feed may be [illegible] be grown on the National Forest lands at [illegible] expense will be fixed by the district forester.

[illegible] to the United States, Forest officers who are not [illegible] by such provisions of employment to own and equip saddle [illegible] other animals and motor vehicles may, under such restrictions as may be [illegible] authorized for official use. [illegible] animals or motor vehicles [illegible] furnishing them to reimbursement for such hire when the animals or motor vehicles will not be needed by their owners for their personal transportation in the performance of official travel during the period for which they are to be hired: Provided, That the rate of hire for motor vehicles [illegible] 3 cents per mile for a motorcycle, which shall include all expenses of [illegible] tion.

Extra animals and equipment for private or cooperative use may be kept on the Forests without expense to the Government.

[illegible] injury for loss, damage, or destruction of horses, vehicles or other equipment [illegible] for emergency fire fighting. Trail or official work must be accomplished by satisfactory evidence of owner- [illegible] the responsibility of the Government, or the valuation of the [illegible] equipment can not be made for property owned by Government officers or employees for loss, damage, or destruction [illegible] they be a total loss. Contract of hire covering such property between [illegible] and another officer or employee of the Government. All [illegible] paragraph must be approved by the Secretary before [illegible].

UNITED STATES DEPARTMENT OF AGRICULTURE

OFFICE OF THE SOLICITOR

WASHINGTON, D. C.

OCT 2 0 1922

Mr. A. Zappone,

Division of Accounts and Disbursements.

Dear Mr. Zappone:

In accordance with your request I have gone over the proposed amendments to Paragraphs 58 and 59 of the Fiscal Regulations and note that no provision has been made for the housing of horses and vehicles. This omission is apparently an error, since the heading of Paragraph 58 provides as follows: ANIMALS AND MOTOR VEHICLES FURNISHED BY FOREST OFFICERS, SUBSISTENCE, HOUSING AND HIRE ***.

Paragraph 58 of the present Fiscal Regulations contains this provision, and the proposed contract to be used by the Forest Service in the hire of animals under the provisions of this paragraph has a provision for housing. Furthermore, Mr. Kelleter of the Forest Service advises me that authority to reimburse employees for housing is desired. I, therefore, conclude that the omission is an error and suggest that it be inserted. The following will accomplish that end:

> Housing of animals and vehicles will also be furnished in whole or in part by the Forest Service as may be deemed equitable by the Forester.

Very truly yours,

Solicitor.

Rush

Mr. Drebendorf

April 24, 1922.

Memorandum.

Under Regulation 4-A, National Forest Manual, the Forest Service may require as an incident to employment that forest employees shall provide certain horses, vehicles, and other equipment for use in official work. These animals may be subsisted in whole or in part at Govt. expense, as district forester may determine.

In addition to these animals, etc., available for Government use, extra animals and equipment for private or domestic use may be kept on the forests, without expense to the Government.

Under the Act of Mar. 4, 1913, the Secy. of Agri. is authorized to reimburse owners of horses, etc., lost, damaged, or destroyed while being used for necessary fire fighting or other official business. Under the Act, the Secy, has authority to exercise judicial discretion to determine the facts as to whether loss or damage has resulted while property was used in official business, and to determine the amount of such damage.

The Solicitor of Dept. had held that loss of an animal could not be reimbursed when such loss occurred at the home station of the forest officer (and this view was supported by the Comptroller of the Treasury), on the ground that it was not in continuous official use when at such home station.

The Forest Service held that under the contract of hire such horses were in continuous official use or continuously available

for such use. To overcome this difficulty in making just reimbursements for loss sustained by forest employees, the Secy. approved a revision to Forest Service Regulation A-4 (effective Jan. 1, 1922) specifically providing that every animal and vehicle furnished pursuant to this Regulation must be held continuously available for use (with certain exceptions, under restriction, as to hire of such property to other forest officers for official use).

The question has been raised by the Office of Inspection as to the necessity for requiring that definite descriptions be furnished at the time of hire of the particular animals and equipment which the forest employees are required to furnish, with the appraised value thereof, so that, if claims for damage subsequently arise, certain identificatin of the specific animals and equipment originally contracted for can be made. The attached letter to Col. Greeley has been drafted to carry this requirement into effect.

EHB

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

W-W

OFFICE OF INSPECTION
FILE NO.

See Inspt's letter

April 15, 1922.

MEMORANDUM FOR MR. JUMP

Dear Mr. Jump:

I return all papers in this case with the information that I can see no objection to referring this matter to the Finance Committee. However, it is not a matter dealing with departmental procedure, and since the original regulation was not referred to the Finance Committee before it was published, I would suggest the propriety of referring the present case to the Solicitor rather than to the Committee.

Done

You will note in this connection that the proposed letter to the Forester is merely a letter advising him of the evidence which the Secretary desires shall accompany each claim for reimbursement on account of loss or damage to property. The question presented by the Forest Service under Regulation A-4 could not arise in the case of any other bureau except under a similar regulation which, so far as I am aware, no bureau except the Forest Service has published to date.

With reference to the point referred to by you, it is this situation which makes the Government under present conditions in effect an insurer of all stock and equipment owned by any forest officer. The condition in this case is not comparable to the instances stressed by the Forest Service, i.e., fire department horses and stock rented from private individuals and held in pasture to be available for emergency use; for the reason that in each case this stock is positively identified.

In the case of a forest officer who is required by his official duties to keep say four horses, under the proposed regulation if any one of these four horses die, the forest officer is entitled to reimbursement on the same theory that the private owner is entitled thereto. If, however, in addition to the four horses enumerated the forest officer has four additional horses which he is not required to keep in the performance of his official duties, and in the performance of those duties he uses one or more of the four horses which he is not required to keep, he is undoubtedly a volunteer and the horse so furnished is not under contract of hire to the Government. I can, therefore, conceive of no theory upon which the Government should pay the value of such horse in case it were killed while being so used.

This does not, of course, preclude a forest officer from renting his surplus stock to any other forest officer for use in official work, either by himself or another, but it does preclude the shifting of the identity of stock under contract of hire to the United States without an

advance agreement between the owner of the stock and some other officer or employee authorized to contract on behalf of the Government.

Very truly yours,

Herbert S. Stand

Acting Inspector in Charge.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

W-W

OFFICE OF INSPECTION
FILE NO.

March 31, 1922.

MEMORANDUM FOR MR. JUMP

Dear Mr. Jump:

In compliance with your instructions, I have made a study of the "dead horse" question and, although I have not completed my study in this connection, I find a condition existing which I believe calls for immediate corrective action, and I am, therefore, taking the liberty of inviting your attention at this time to the modification of Forest Service Regulation A-4 which became effective January 1, 1922.

The Act of March 4, 1913, (37 Stat., 843) as interpreted by the Comptroller of the Treasury (21 Comp., 250) requires the Secretary of Agriculture to consider, determine, and allow claims for loss or damage to horses or other property while being used for necessary fire fighting, trail, or official business, and requires him to exercise a specific judicial discretion "to determine the facts as to whether loss or damage of or to property resulted while being used in necessary fire fighting, trail, or official business, and as an incident to such use and the amount of the loss or damage".

Very soon after the passage of the Act of March 4, the Forest Service began to entertain claims for loss or damage to horses furnished by Forest Service employees under their contract of hire, and although the argument presented to the Appropriation Committee of Congress apparently did not contemplate that reimbursement would be allowed to employees of the United States, the Comptroller in his various rulings made it apparent that in every case where a contract of hire was in existence covering the animal lost or damaged, reimbursement was legal, provided the Secretary of Agriculture, in the exercise of the judicial discretion vested in him, found the essential elements of the claim to be as stated above.

Regulation A-4 of the Forest Manual has always required Forest officers and employees to furnish and keep saddle and other animals necessary for their personal transportation in the performance of official duty. In 1917 when this regulation was before the Comptroller it provided that forage for such animals would be furnished in whole or in part by the Forest Service, that the number of animals and the period during which forage would be furnished would be fixed by the District Forester, and provided further that extra animals and equipment for private or domestic use might be kept on the forest without expense to the

Government. The Comptroller, in his M.S. Dec. of December 18, 1917, construed this regulation to create a contract of hire under which reimbursement might be made in the case of loss or damage to an animal while being used by the owner or by any other employee.

In line with this decision the Solicitor of this Department has recognized the existence of a contract of hire and regarded the loss of an animal as due to its official use provided the loss occurred while the animal was actually being used in official work away from the official station of the employee.

The recent amendment to Regulation A-4, effective January 1, 1922, has the effect of creating a contract of hire which shall cover such animals as a Forest officer is required by the District Forester to furnish, not only while being used in official business away from the employee's permanent station, but also while in pasture or otherwise disposed of thereat. The effect of this regulation was fully presented in the various memoranda which preceded its approval, and it may, therefore, be regarded as res adjudicata that the Government will assume a definite liability for the payment of damages under the Act of March 4, 1913, for the loss of any animal which an employee is required by the District Forester to furnish under his contract of employment, irrespective of whether or not the loss occurred at or away from the official station of the employee, so long as the loss resulted from use in necessary official work.

By reference to the regulation in its present form, and to the correspondence between the Forester and the Solicitor which preceded this approval, it is apparent that Forest officers are authorized to keep on the national forests, and in fact do keep thereon, additional privately owned live stock and vehicles for their private or domestic use. In order to determine, therefore, an employee's right to compensation under the Act of March 4, 1913, and establish a contract of hire under Regulation A-4 of the Forest Manual, it is not sufficient for the District Forester to indicate the number of horses and vehicles which the Government is hiring from the employee for official use for the reason that a blanket contract of this character would permit of a shift of liability which would leave the Government to bear the loss in every case.

It has been the custom in the past for the Government to rely upon a showing of the use being made of the animal at the time of its injury as establishing the existence of a contract of hire. Under the new regulation a horse dying at the headquarters of the owner would, if the employee-owner possessed other stock, immediately present the question of whether or not this particular horse was one which the District Forester had required the Forest officer to furnish. There would exist no evidence upon which to base a determination of this question and it would then be necessary to rely upon the finding of the District Forester that

Government. The Comptroller, in his M.S. Dec. of December 18, 1917, construed this regulation to create a contract of hire under which reimbursement might be made in the case of loss or damage to an animal while being used by the owner or by any other employee.

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It has been the custom in the past for the Government to rely upon a showing of the use being made of the animal at the time of its injury as establishing the existence of a contract of hire. Under the new regulation a horse dying at the headquarters of the owner would, if the employee-owner possessed other stock, immediately present the question of whether or not this particular horse was one which the District Forester had required the Forest officer to furnish. There would exist no evidence upon which to base a determination of this question and it would then be necessary to rely upon the finding of the District Forester that

the horse was, or was not, then furnished under a contract of hire and, therefore, whether it was, or was not, damaged while being used in official work. But it should be borne in mind that these are judicial determinations which the Act of March 4, 1913, specifically vest in the Secretary of Agriculture and which he may not delegate except under authority of law.

I am, therefore, of the opinion that the Secretary should immediately issue instructions looking to the preparation and submission of proper evidence covering the contract of hire and the damage upon which claim for reimbursement is based. This requirement may be easily met by requiring the District Forester when designating the number of animals and vehicles which he requires of a certain Forest officer to so describe each animal and vehicle furnished in response to this requirement as to make subsequent identification thereof possible and to appraise the value of each horse and vehicle so furnished.

Since the Government under the new regulation has become to all intents and purposes an insurer of the property furnished by a Forest officer, it would seem to be essential to specifically identify that property in preparation for and in advance of any claim which may arise as a result of its subsequent use. It is only by so doing that the Secretary can exercise the judicial functions required of him by the Act of March 4, 1913.

An appropriate instruction to meet this situation is submitted herewith for consideration.

Very truly yours,

Herbert L. Marks

Inspector.

COPY

(Copy MG)

MODIFICATION OF REGULATION A-4.

By virtue of the authority vested in the Secretary of Agriculture by the Act of Congress of February 1, 1905 (33 Stat., 628), amendatory of the Act of June 4, 1897 (30 Stat., 11), I, C. W. Pugsley, Acting Secretary of Agriculture, do hereby amend Regulation A-4 of the rules and regulations governing the occupancy, use, protection and administration of the National Forests to read as follows, the same to be in force and effect from the first day of January, 1922, and to constitute a part of the National Forest Manual:

> Reg. A-4. Forest officers or employees of any grade or salary regularly assigned to field duty on the National Forests may, in the discretion of the District Forester, be required to furnish and keep at their own expense saddle and other animals, or motor vehicles, necessary for personal transportation in the performance of official travel. Feed for animals and housing for animals or motor vehicles so furnished will be provided in whole or in part by the Forest Service as may be deemed equitable by the Forester. The necessary feed may be obtained by purchase or may be grown on the National Forest lands at Government expense. The number of animals required and the period during which such animals are to be subsisted in whole or in part at Government expense shall be fixed by the District Forester.
>
> Every animal and vehicle furnished pursuant to this regulation must be held continuously available for the personal transportation of the owner in the performance of official travel, except that if the Forest Supervisor shall find that such animal or vehicle will not be needed by the owner for his personal transportation on official travel during a specified period and that it will be advantageous to the United

[illegible]

[illegible]

[illegible]

[illegible]

States to do so, he may, under such restrictions as may be prescribed by the Forester, suspend for such period the contract of hire arising under this regulation and permit the owner to hire such animal or vehicle during such period, for official use, to any other Forest officer having authorization entitling him to reimbursement for such hire.

Extra animals and equipment for private or domestic use may be kept on the Forest without expense to the Government.

Witness my hand and the seal of the United States Department of Agriculture.

Done at the City of Washington this 11th day of January in the year of our Lord nineteen hundred and twenty-two and of the Independence of the United States the one hundred and forty-sixth.

C. W. Pugsley,

Acting Secretary of Agriculture.

(Seal)

Forest Service
1922
1-3 1-4

Forest Service
1-3-22.

Subject: Regulations
Enc fr considera. and recommend favorable actn, a proposed revision of Regs. A-4, purpose of this amend. is to auth. the Secy. to legally approve vouchers submtd fr reimbursement under the provisions of the Act of 4-4, 1913, etc. Wld be glad to have this amend. apprvd effective 1-1-22. Immediate action is very desirable.

Rfd: Solicitor. For consideration.

MEMORANDUM OF ACTION.

(Read carefully "NOTE" below.)

Letter for the signature of.....prepared in

..... Date.....

Memorandum to the Secretary prepared in.....

Date .....

Do you wish correspondence returned to your office for filing? .....

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY

NOTE.

PROMPT ATTENTION must be given the enclosed, and this jacket and correspondence returned to the SECRETARY'S OFFICE within THREE DAYS.

The jacket should not be detached.

Under "Memorandum of action" above, the blank spaces should be filled in. The initials of stenographer also should be indicated.

HENRY C. WALLACE,

Secretary.

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WASHINGTON

ADDRESS REPLY TO
THE FORESTER
AND REFER TO

O
Special
Manual Amendment
A-4

January 3, 1922.

MEMORANDUM FOR THE SECRETARY:

I enclose for your consideration, and recommend favorable action, a proposed revision of Regulation A-4. The purpose of this amendment is to authorize the Secretary to legally approve vouchers submitted for reimbursement under the provisions of the Act of March 4, 1913, where the claim arises on account of loss of animals at the home station of the employee. As the regulation stands at present the Solicitor finds it impossible to make such legal reimbursement.

In view of the fact that the animals are furnished by the Forest Rangers and held continuously available for use in connection with their official work as provided for by the regulation it is a great hardship not to be in a position to make reimbursement where such loss occurs at the official station. The full file of papers bearing on this question is attached.

I should be glad to have this amendment approved effective January 1, 1922. It is of very vital importance and immediate action is very desirable.

E. A. Sherman
Acting Forester.

Enc.

UNITED STATES DEPARTMENT OF AGRICULTURE

OFFICE OF THE SOLICITOR

WASHINGTON, D. C.

Dear Mr. Jump:

I have given the accompanying memorandum of the Forester, addressed to the Secretary, careful consideration.

This office has consistently held, that under the provisions of Regulation A-4 as drawn, reimbursement could not be paid to employees of the Forest Service whose horses died at the official station of the employee. In my last memorandum to the Secretary I indicated that this was a strict legal interpretation of the Act, but that under the decision of the Comptroller of the Treasury (21 Comp. Dec., 250), the Secretary might permit reimbursement in this class of cases. I suggested, however, that it probably would be preferable to submit the question to the Comptroller for a final decision.

The Forester has taken up the matter with me informally and has requested that I prepare an amendment to Regulation A-4 which will provide a continuous contract of hire--the lack of a continuous contract of hire having been the legal objection to reimbursement in this class of cases. In compliance with the request of the Forester I prepared a suggested amendment, which is as follows:

> Every animal and vehicle furnished pursuant to this regulation must be held continuously available for the personal transportation of the owner in the performance of official travel, except that if the Forest Supervisor shall find that such animal or vehicle will not be needed by the owner for his personal transportation on official travel during a specified period and that it will be advantageous to the United States to do so, he may, under such restrictions as may be prescribed by the Forester, suspend for such period the contract of hire arising under this regulation and permit the owner to hire such animal or vehicle during such period, for official use, to any other Forest officer having authorization entitling him to reimbursement for such hire.

This amendment, if adopted, will, I believe, authorize the Secretary legally to approve vouchers submitted for reimbursement under the provisions of the Act of March 4, 1913, where the horses have died at the home station of the employee.

Very truly yours,

Solicitor.

Encl

PROPOSED AMENDMENT OF REGULATION A-4.

October 17, 1921.

Every animal and vehicle furnished pursuant to this regulation must be held continuously available for the personal transportation of the owner in the performance of official travel, except that if the Forest Supervisor shall find that such animal or vehicle will not be needed by the owner for his personal transportation on official travel during a specified period and that it will be advantageous to the United States to do so, he may, under such restrictions as may be prescribed by the Forester suspend for such period the contract of hire arising under this regulation and permit the owner to hire such animal or vehicle during such period, for official use, to any other Forest officer having authorization entitling him to reimbursement for such hire.

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WASHINGTON

ADDRESS REPLY TO
THE FORESTER
AND REFER TO:

O
Finance
Reimbursement for
Horses

October 25, 1921.

The Secretary of Agriculture.

Sir:

Reference is made to the Solicitor's memorandum of October 19, addressed to you, bearing on the question of reimbursement to employee owners of the Forest Service whose horses are lost or injured while at the official station or headquarters of such employee owner. I have given very careful consideration to this memorandum and it appears to me that it definitely leads up to the point indicating the need for the establishment of a policy by you to govern the reimbursement in cases of this kind.

The Act of March 4, 1913, provides for reimbursement to owners, who incur loss while property is under contract of hire to the Forest Service. As things stand application of the provisions of the remedial legislation has been limited to reimbursement for losses away from station apparently on the theory that the contract of hire is effective only when the employee owner is away from his official headquarters, such absence from official headquarters and use of animals while absent being considered an indication of actual use as called for by the remedial legislation.

I feel that to limit reimbursement to employee owners whose loss occurs under such conditions is discriminatory and to the disadvantage of employees whose horses are injured at the official station.

The use of horses by Forest Service employees is made a contract of hire under the provisions of Regulation A-4. Under the terms of this regulation it is incumbent upon the employee owner to make available for official use one or more animals as may be definitely indicated by the Forest supervisor. The indication by the Supervisor as to the number of horses needed constitutes the necessary contract of hire. The employee in fulfilling his part of the

contract makes available for use one or more horses as the case may be and he is forced to have the animals in readiness at all times. Such readiness for immediate use constitutes in fact continuous service, although there may be periods within the day that the animal is not actually under saddle or being used. The necessary periods of rest within any given day in no way removes the animal from availability for immediate use. Without such periods of rest and feeding it would be impossible for the employee to fulfill the demands of the contract.

Many analogies in every day life can be found. Taking just one. Throughout the country every city of any size is equipped with a fire department. Both men and animals are on duty and stand in readiness to respond to fire alarms. The animals concerned are not in constant use rushing the apparatus to the fire but this fact in no way is taken to mean that the animals while ready to respond to a call are not on duty. Thus it is with the Forest officers and their animals. The employees are under continuous contract of employment and the expectation is that they work actively a reasonable number of hours each day. In case of emergency such hours of active work are extended and the employees may be called on any time, day or night, to respond to such calls of duty. The same thing applies to the animals furnished under Regulation A-4.

As things stand at the present time favorable action on claims for reimbursement is limited to cases where the damage or loss occurs away from official headquarters of the employee owner. Limiting reimbursement to such cases is discriminatory and provides for a haphazard application of the remedial provisions of the legislation and because of that fact is unfair. There is no difference in the terms of employment or the character of the work of the two classes of employee owners created by this discrimination as set up at the present time.

I am making this recommendation because of my understanding of the Solicitor's memorandum that the application of the benefits of the act can legally be made apply to cases of this character if it seems desirable to you to do so as a matter of policy, and I recommend the adoption of the policy. Each claim for indemnity should be supported by clear-cut statement of facts showing the manner in which the loss occurred and the absence of negligence on the part of the owner. In this connection I think it advisable that the regulation be amplified to obviate the possibility of any misunderstanding by the accounting officers by the following amendment:

"Every animal and vehicle furnished pursuant to this regulation must be held continuously available for the personal transportation of the owner in the performance of official travel, except that if the Forest Supervisor shall find that such animal or vehicle will not be needed by the owner for his personal transportation on official travel during a specified period and that it will be advantageous to the United States to do so, he may, under such restrictions as may be prescribed by the Forester suspend for such period the contract of hire arising under this regulation and permit the owner to hire such animal or vehicle during such period, for official use, to any other Forest officer having authorization entitling him to reimbursement for such hire."

Very respectfully,

C. W. Greeley

~~Acting~~ Forester.

Mr. Wenchel

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
WASHINGTON

ADDRESS REPLY TO
THE FORESTER
AND REFER TO:
O
Finance
Reimbursement for Horses &
Equipment Lost & Damaged

Solicitor

September 16, 1921.

The Secretary of Agriculture.

Sir:

I have before me a number of claims for reimbursement under the Act of March 4, 1913, which after consideration by you were returned without your approval. Recommendation that these claims be not approved was made by the Solicitor. The particular circumstances under which the loss or damage occurred vary in detail in the different cases. The governing principle for disapproval was, however, the same.

Broadly stated it is that the particular animals were at the time of loss or injury not in active use but merely at the official station or headquarters of the owner. It was held that presence at such headquarter stations was indication that the animal in question was not "being used for necessary fire fighting, trail or official business".

The legislation aims to be beneficial in character and its application should be characterized by a spirit that will give the full benefit to those for whose relief the legislation was enacted. I feel that this can be done by the acceptance of a new point of view without in the slightest degree taking a step contrary to the letter or spirit of the law.

The basis for action by the Solicitor in making adverse recommendations is based on the following case:

Ranger J. N. Templer of the Sioux National Forest made claim to the amount of $65 for reimbursement for the loss of a horse owned by him for use on official duty. At

the time the loss occurred Ranger Templer was on detail in the Supervisor's office and the horse was left in pasture at the McClary Ranger Station, Ranger Templer's headquarters. The evidence showed that the horse in attempting to get out through an opening made by cattle grazing on the Forest became entangled in the barbed wire fence and in struggling to free itself slowly sawed off the left hind leg at the hock joint which resulted in death from the loss of blood. The Solicitor held that the animal was not being used at the time of the accident, since it was running loose in the pasture at Ranger Templer's headquarters and that, therefore, the animal was not under contract of hire not being in use at the time of accident and in consequence of this reimbursement under the act of March 4, 1913, was not authorized.

The National Forest Manual provides in Regulation A-4 (21-A):

> Forest officers or employees of any grade or salary regularly assigned to field duty on the National Forests may, in the discretion of the district forester, be required to furnish and keep at their own expense saddle and other animals, or motor vehicles, necessary for personal transportation in the performance of official travel. Feed for animals and housing of animals or motor vehicles so furnished will be provided in whole or in part by the Forest Service as may be deemed equitable by the Forester. The necessary feed may be obtained by purchase or may be grown on the National Forest lands at Government expense. The number of animals required and the period during which such animals are to be subsisted in whole or in part at Government expense shall be fixed by the district forester.
>
> When advantageous to the United States, Forest officers who are required to own and equip saddle and other animals, and motor vehicles, may under such restrictions as may be prescribed by the Forester hire such animals, or motor vehicles, for official use to other forest officers having authorization entitling them to reimbursement for such hire when the animals or motor vehicles will not be needed by their owners for their personal transportation in the performance of official travel during the period for which they are to be hired.
>
> Extra animals and equipment for private or domestic use may be kept on the Forest without expense to the Government.

[illegible] Ranger Tangular was on detail in [illegible] office and [illegible] was left in charge of [illegible] station, Ranger Tangular's headquarters. [illegible] the men in attempting to get out [illegible] by cabin crews of the Forest Service [illegible] in attempting to free [illegible] left them lay at the Rock Point [illegible] left them in loss of blood. The foreman [illegible] were not taken over by the time of the [illegible] in the pastures at Ranger [illegible] and tools, therefore, the animal was [illegible] in use at the time of [illegible] of this requirement under the [illegible] authorized.

Forest officers or employees of any grade or salary regularly assigned to field duty on the National Forests may, in the discretion of the district forester, be permitted to hold and keep for their exclusive use and use of animals, or motor vehicles, necessary for personal transportation in the performance of official travel. Item for animals and horses of animals or motor vehicles for field use will be provided in advance or in part by the forest or. The necessary fund may be obtained by purchase or rent in accordance with National Forest at Government expense. The number of animals required on the ranger district and motor vehicles will be fixed by the district forester.

When advertisements to the United States, Forest or their employees are required to own and equip saddle [illegible] substitute may be authorized by the Forest [illegible] in addition, when to rent equipment for such [illegible] use animals or motor vehicles will not be [illegible] the service need of official travel during [illegible] for which they are to be hired.

Auto or animals used exclusively for private or [illegible] to the Government.

This is a definite contract of hire. The animals furnished are under constant contract. The purpose of paragraph 2 of Regulation A-4 is to give the Forest Service the benefit of possible use by visiting officers of the animals held under contract as set forth in the first paragraph of the Regulation. This arrangement is not of special advantage to the employee owner whose horse is so used. The inclusion of this paragraph in the Regulation was for the distinct purpose of giving official sanction to such use and thereby prevent the raising of any administrative questions, and at the same time strengthen the control of the Forest Service of the animals furnished by the employees for their own use. Paragraph 3 of the Regulation approves the maintenance of additional stock at the Ranger Stations at the personal expense of the Forest officers. No forage allowance is made for such additional animals because they are not used on official work.

The Forest Service exercises careful control over the number of animals furnished by the individual Forest officers for official use. So much for the conditions under which the animals are furnished.

The application of the relief afforded by the legislation is in accordance with regulations by the Secretary. This is done by the exercise of administrative discretion. As a necessary basis to insure the proper administration of the law the provisions of Regulation A-4 have been held to be in effect a contract of hire.

The animals designated as necessary for the official work of the employee are thereby under continuous contract of hire. In my judgment this holds irrespective of the nature of the use to which the animals may be put at any time during the life of such contract. Having the authorized number of animals at headquarters in readiness for use is essential so that the Forest officers can fulfil the requirements of hire under the provisions of the Regulations which requires the use of the animals for work away from the station as found necessary administratively. The Ranger can not furnish the horse service unless he maintains the animal in serviceable condition and in my judgment the period of preparation and maintenance of designated and authorized animals puts the animals under contract of hire as much as the use on the road in traveling on official work. The Forest officer can not make a trip to a fire, inspect timber sale areas or grazing allotments without the preliminary acts specified. The animal at the headquarter station is not available for any other than Governmental use.

[illegible]

Purpose of Act is killed as [illegible] of Officer [illegible]

[illegible]

In my opinion there can be no question as to the continuity in the contract of hire because of the conditions set forth above. This fact carries with it the further factor of "continuous use". To have the animals in readiness constitutes having them in use. This fact is recognized by the Forest Service in its contracts for the hire and employment of special pack animals during the fire season. Animals under contract of hire from private owners are placed in strategic locations in remote districts on the National Forests in anticipation of the fire season, yet not infrequently such animals are not actually employed in the transportation of supplies because of the absence of fires in the immediate region. The failure because of the absence of fire or other emergency, actually to employ such animals for the transportation of supplies, does not because of this fact permit the statement that the animals were not in use. Readiness and waiting constitutes use. Were this not so serious questions might arise as to the justification for having the animals and incurring expense for upkeep. For obvious reasons no such questions ever arise.

Similar conditions surround the status of animals furnished by employee owners under conditions of hire as indicated, and the periods of overnight or other rest between trips at the employee owners' headquarters station constitute the condition of use and the advantages of the beneficial legislation contemplated by the Act of March 4, 1913, should not be withheld from such employee owners in cases of losses that may occur under such conditions. I feel that to do so constitutes a hardship, financial loss, discrimination of employee owners, and creates a condition out of harmony with the purposes of the legislation.

It may have been a matter of administrative caution to set up this barrier and make it as an essential requirement that the animal be in actual use away from the station in trying out the effect of the legislation. Experience has, however, shown that such barrier works a hardship on a limited number of employees and as beneficial legislation should be so administered as to be helpful to all the employees. I do not feel that out of fairness and justice there should be a discriminatory administrative action against a limited number of employees belonging to the class that Congress aimed to benefit.

I should indeed be glad to have your further consideration of this question so as to give all employees furnishing horses the opportunity for benefit of the provi-

sions of the Act of March 4, 1913, whenever there has been no negligence on the part of the employee owner.

Very respectfully,

E. A. Sherman

Acting Forester.

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

ADDRESS REPLY TO
THE FORESTER
AND REFER TO

O
Special
Manual Amendment

WASHINGTON

September 18, 1922.

MEMORANDUM FOR MR. JUMP:

Reference is made to your memorandum of April 25 bearing on the modification of Regulation A-4. I am glad to say that after considerable study it has been possible to work out with representatives of the Office of the Solicitor, Office of Inspection, and this office a new Regulation A-4 which I feel will amply protect the interests of the Government without imposing a hardship upon employees of the Forest Service or nullifying the fundamental purposes of Regulation A-4.

I enclose for approval by the Secretary the modification which I hope will receive his indorsement to permit its being put into effect October 1.

There is also enclosed copy of the proposed forms of contract which will be executed by the Forest officers furnishing equipment under the proposed new Regulation A-4.

E. A. Sherman
Acting Forester.

Enc.

COPY

DEPARTMENT OF AGRICULTURE
Washington

By virtue of the authority vested in the Secretary of Agriculture by the Act of Congress of February 1, 1905 (33 Stat., 628), amendatory of the Act of Congress of June 4, 1897 (30 Stat., 11), I, Secretary of Agriculture, do hereby amend Regulation A-4 of the rules and regulations for the occupancy, use, protection and administration of the National Forests to read as follows, effective on and after November 1, 1922, and to constitute a part of the National Forest Manual.

Reg. A-4. Officers or employees of the Forest Service of any grade or salary may, in the discretion of such officers as the Forester may designate, be required to furnish saddle and other animals, or motor vehicles, and equipment, necessary for the performance of their official business. All animals, vehicles and equipment so furnished will be furnished under a contract of hire which will be in writing.

If an emergency should develop requiring the use of additional animals, motor vehicles or equipment not covered by written contract, officers or employees of the Forest Service of any grade or salary are required to furnish such additional animals, motor vehicles, or equipment as may be necessary for emergency fire fighting, trail building or other official business. If such animals, motor vehicles or equipment be lost, damaged or destroyed while in use on official business, the owner, upon proper proof, may be reimbursed therefor in the discretion of the Secretary of Agriculture, under the provisions of the Act of March 4, 1913.

Forage for animals will be furnished and mileage for motor vehicles will be paid while being used on official business.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at the City of Washington this [illegible] day of [illegible] 1922.

Secretary of Agriculture.

DEPARTMENT OF AGRICULTURE

By virtue of the authority vested in the Secretary of Agriculture by the Act of Congress of February 1, 1905 (33 Stat., 628), amendatory of the Act of Congress of June 4, 1897 (30 Stat., 11), I, Secretary of Agriculture, do hereby amend Regulation A-4 of the rules and regulations for the occupancy, use, protection and administration of the [illegible] National Forest, [illegible] and to constitute a part of the National Forest Manual.

Reg. A-4. Officers or employees of the Forest Service of any grade or salary may, in the direction of such officers as the Forester may designate, be required to furnish suitable and other animals, or motor vehicles, and equipment, necessary for the performance of their official business. All animals, vehicles and equipment so furnished will be furnished under a contract of [illegible].

In an emergency should develop requiring the use of additional animals, motor vehicles or equipment not covered by written contract, officers or employees of the Forest Service of any grade or salary are required to furnish such additional animals, motor vehicles, or equipment as may be necessary for emergency fire fighting, trail building or other official business. If such animals, motor vehicles or equipment be lost, damaged or destroyed while in use on official business, the owner, upon [illegible], the Secretary of Agriculture, under the provisions of the Act of March 4, 1913.

Charge for animals will be furnished and mileage for motor vehicles will be paid while being used on official business.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at the City of Washington this day of 19[illegible].

Secretary of Agriculture.

Form No. _____

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Horse Contract.

_____
Place.

Name	Horse or Mule: Sex	Color	Brand	Height: hands	Weight: lbs.	Cost to: present owner	Appraised: value	Remarks

The foregoing animals are furnished by the undersigned in accordance with Regulation A-4 of the National Forest Manual.

Liability for animals injured or killed during the period of hire is assumed by the Forest Service. The Forest Service will not compensate the owner for death occuring through disease or old age or injury or death due to negligence by him.

Reimbursement for animals injured or killed will be based upon consideration of the appraised value and any other factors which may be germane.

Decision as to reimbursement under this contract, and the amount thereof, will be made by the District Forester.

Animals furnished under this contract must be serviceable and in healthy condition.

This contract may be terminated at any time by the Forester or his authorized representative.

I hereby agree to the above stipulations:

(Signed) _____
Owner

_____ 19_____.

The above described animals were delivered this _____ day of _____ 19_____.

(Signed) _____
Hiring Officer.

Form No. _____

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Vehicle Contract

_____
Place

Kind of Vehicle	Year of Manufacture	Date Purchased	Cost to present owner	Appraised value	Defects noticed General condition

The foregoing vehicles are furnished by the undersigned in accordance with Regulation A-4, National Forest Manual.

Reimbursement for the use of _____ will be at the rate of _____ cents per mile. The cost of housing will be borne by the Forest Service.

L Liability for loss of or damage to vehicles during the period of hire will be assumed by the Forest Service. The Forest Service will not compensate the owner for loss or damage due to negligence or to ordinary wear and tear.

Reimbursement for vehicles damaged or destroyed during the period of hire will be based upon consideration of the appraised value and any other factors which may be germane.

Decision as to reimbursement under this contract, and the amount thereof, will be made by the Forester.

Vehicles furnished under this contract must be serviceable and in good condition.

This contract may be terminated at any time by the Forester or his authorized representative.

I hereby agree to the above stipulations:

(Signed) _____
Owner

Date _____ 19____

The above described vehicles were delivered this _____ day of _____ 19___

(Signed) _____
Hiring Officer.

By virtue of the authority vested in the Secretary of Agriculture by the Act of Congress of February 1, 1905 (33 Stat., 628), amendatory of the Act of Congress of June 4, 1897 (30 Stat., 11), I, Henry C. Wallace Secretary of Agriculture, do hereby amend Regulation A-4 of the rules and regulations for the occupancy, use, protection and administration of the National Forests to read as follows, effective on and after November 1, 1922; and to constitute a part of the National Forest Manual.

> Reg. A-4. Officers or employees of the Forest Service of any grade or salary may, in the discretion of such officers as the Forester may designate, be required to furnish saddle and other animals, or motor vehicles, and equipment, necessary for the performance of their official business. All animals, vehicles and equipment so furnished will be furnished under a contract of hire which will be in writing.
>
> If an emergency should develop requiring the use of additional animals, motor vehicles or equipment not covered by written contract, officers or employees of the Forest Service of any grade or salary are required to furnish such additional animals, motor vehicles, or equipment as may be necessary for emergency fire fighting, trail building or other official business. If such animals, motor vehicles or equipment be lost, damaged or destroyed while in use on official business, the owner, upon proper proof, may be reimbursed therefor in the discretion of the Secretary of Agriculture, under the provisions of the Act of March 4, 1913.

Forage for animals will be furnished and mileage for motor vehicles will be paid while being used on official business.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at the City of Washington this 7th day of November 1922.

Secretary of the Interior
(Signed)

Henry C. Wallace

Secretary of Agriculture.

[illegible] and vehicles kept by forest officers under instructions from the District Forester for official use are continuously [illegible] the United States, the Secretary wishes me to indicate the nature of the evidence which will be required hereafter in cases [illegible] claims for loss or damage under the Act of March 4, 1913.

In order that there may be no misunderstanding in this connection, the Secretary feels that the District Forester should, when fixing the number of animals and vehicles which an employee will be required to furnish, complete the record by securing a description of each animal and vehicle which the employee furnishes under his instructions, together with the appraised value thereof, and that no claim for loss or damage can be entertained until it is shown that a prior authorization or contract existed covering the property in question.

Under this plan each claim for damage, when submitted to the Secretary for his approval, should be accompanied by a true copy of such designation or agreement, and the appraised value will be taken as the basis upon which to calculate the damage. Each claim should contain a sufficient description of the property damaged to make identification possible and should show clearly that the damage was the direct result of use in official work.

(Signed) W. A. JUMP,

Administrative Assistant.

J.M.G.

(Copy)

F

DEPARTMENT OF AGRICULTURE
Office of the Secretary
Washington, D.C.

April 25, 1922.

Col. W. B. Greeley,

Forester.

Dear Colonel Greeley:

In connection with the modification of Regulation A (4), Forest Service, effective January 1, 1922, under which animals and vehicles kept by forest officers under instructions from the District Forester for official use are continuously under hire to the United States, the Secretary wishes me to indicate the nature of the evidence which will be required hereafter in considering claims for loss or damage under the Act of March 4, 1913.

In order that there may be no misunderstanding in this connection, the Secretary feels that the District Forester should, when fixing the number of animals and vehicles which an employee will be required to furnish, complete the record by securing a description of each animal and vehicle which the employee furnishes under his instructions, together with the appraised value thereof, and that no claim for loss or damage can be entertained until it is shown that a prior authorization or contract existed covering the property in question.

Under this plan each claim for damage, when submitted to the Secretary for his approval, should be accompanied by a true copy of such designation or agreement, and the appraised value will be taken as the basis upon which to calculate the damage. Each claim should contain a sufficient description of the property damaged to make identification possible and should show clearly that the damage was the direct result of use in official work.

Very truly yours,

(Signed) W. A. JUMP,

Administrative Assistant.

Noted
W.B.G.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

November 7, 1922.

MEMORANDUM No. 406.

Amendment to the Fiscal Regulations.

Paragraph 32, section (h), of the Fiscal Regulations of the Department is hereby amended to read as follows:

32. ACTUAL TRAVELING EXPENSES.-

(h) Customary charges for subsistence, except as provided in paragraph 32(r), not to exceed in the aggregate $5 for any one day. These charges will include all expenses incurred for meals, lodging, bath, personal use of room at hotel during the daytime, waiter fees not exceeding 30 cents in any one day; laundry, cleaning and pressing of clothes, not exceeding an aggregate of $2.80 per week (for fractional parts of a week a proportionate amount will be allowed), to be distributable against the daily subsistence allowance for the days of the weekly periods, provided subsistence expenses including laundry charges do not exceed $5 on any one day; telegrams to hotels reserving accommodations, to be included in subsistence expenses for the initial date of the period for which the accommodations are occupied; street-car and other fares between place of lodging or where meals are taken and place of duty, and all other subsistence expenses. A charge for lodging at a hotel and a charge for sleeping berth for the same night will be allowed only when accompanied by a definite statement of necessity. Receipts for laundry and for cleaning and pressing of clothing must be submitted or a statement filed with reimbursement account showing that to obtain them was impracticable. Charges for laundry at official headquarters at the termination of a trip will not be allowed: Provided, That because of State laws reimbursement for the payment of waiter fees will not be allowed in Arkansas, Georgia, Mississippi, or Tennessee.

Henry C. Wallace
Secretary.

United States Department of Agriculture,
Division of Accounts and Disbursements,
Washington, D. C.

November 6, 1922.

MEMORANDUM FOR THE SECRETARY.

Dear Mr. Secretary:

There is attached hereto a proposed amendment to section (h) of paragraph 32 of the Fiscal Regulations. The purpose of this amendment is to change the laundry allowance from an aggregate of 40 cents a day to an aggregate of $2.80 per week, and to permit laundry charges to be distributed against subsistence expenses in varying amounts against the days of the weekly periods.

Under date of August 29, 1922, at the suggestion of this Committee, you requested the Comptroller General to render a decision as to whether or not this method of charging laundry in reimbursement accounts would be legal, and as his reply, dated September 30, 1922, being in the affirmative, it is thought that the Fiscal Regulations should be amended accordingly.

The Advisory Committee on Finance and Business Methods has therefore prepared the attached proposed memorandum and recommends your approval of same. This regulation has been passed upon by the Office of the Solicitor and the attached memorandum bears the initials of the Acting Solicitor.

Very respectfully,

A Zappone

Chairman, Advisory Committee on Finance
and Business Methods.

Enclosures.

32. ACTUAL TRAVELING EXPENSES.-

(h) Customary charges for subsistence, except as provided in paragraph 32(r), not to exceed in the aggregate $5 for any one day. These charges will include all expenses incurred for meals, lodging, bath, personal use of room at hotel during the daytime, waiter fees not exceeding 30 cents in any one day; (laundry, cleaning and pressing of clothes, not exceeding an aggregate of 40 cents per day, to be pro-rated and distributed against the daily subsistence allowance for each preceding day of the period covered by the laundry bill) laundry, cleaning and pressing of clothes, not exceeding an aggregate of $2.80 per week (for fractional parts of a week a proportionate amount will be allowed), to be distributable against the daily subsistence allowance for the days of the weekly periods, provided subsistence expenses including laundry charges do not exceed $5 on any one day; telegrams to hotels reserving accommodations, to be included in subsistence expenses for the initial date of the period for which the accommodations are occupied; street-car and other fares between place of lodging or where meals are taken and place of duty, and all other subsistence expenses. A charge for lodging at a hotel and a charge for sleeping berth for the same night will be allowed only when accompanied by a definite statement of necessity. Receipts for laundry and for cleaning and pressing of clothing must be submitted or a statement filed with reimbursement account showing that to obtain them was impracticable. (The period covered by the laundry charge in each case must appear in the account.) Charges for laundry at official headquarters at the termination of a trip will not be allowed: Provided, That because of State laws reimbursement for the payment of waiter fees will not be allowed in Arkansas, Georgia, Mississippi, (South Carolina,) or Tennessee.

New matter underscored _____.

Omitted matter in heavy brackets ( ).

OFFICE OF THE ASSISTANT SECRETARY

MEMORANDUM

This is a good idea. The trouble of consulting the amendments ~~an~~ as they are now issued in separte form prevents ~~m~~many people from becoming familiar with the regulations. It will be a relief to know that you have everything before you when open the book.

C

6

SECRETARY OF AGRICULTURE

OFFICE OF INSPECTION

11/10/22.

Mr. Jump:

Please note my "rewrite" on the yellow sheet. I think it takes care of the points you raised on the original draft submitted by Mr. Zappone.

The underscoring I have used in the text indicates new matter; this underscoring should of course be omitted in the draft finally presented for the Secretary's signature. I shall be glad to prepare such final draft when you have indicated any further changes you wish made.

Ashley

W

Oct-

pls have rewritten for sig

J.

MEMORANDUM NO.....

Loose-Leaf Departmental Regulations.

The Fiscal, Administrative, and Property Regulations of this Department will hereafter be printed for binding in a loose-leaf binder, and will be furnished to the bureaus upon requisition on the Office of Inspection. An issue of the Fiscal Regulations in the new form is now in press; the Administrative and Property Regulations will follow when they have been revised to date.

The loose-leaf pages will be 5x7 inches and punched ready for binding. Binders may be requisitioned through the Department Director of Purchases and Sales at their cost price.

Amendments to the Fiscal Regulations will hereafter be in the form of loose-leaf reprints of the entire sheet on which each paragraph amended appears, and will be furnished to the bureaus for general distribution. Amendments to the Administrative and Property Regulations will continue to issue in their present form until the general revision of these regulations is completed; thereafter such amendments will appear in the form now indicated for amendments to the Fiscal Regulations.

Loose-leaf binders will be carried as nonexpendable property, and it will be the duty of the bureaus to see that every employee receiving a loose-leaf binder also receives a copy of each amendment sheet, as issued.

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

October , 1922.

MEMORANDUM No.

LOOSE-LEAF DEPARTMENTAL REGULATIONS.

Dept

The Fiscal, Administrative, and Property Regulations of this Department will hereafter be printed for binding in a loose-leaf binder and will be furnished to the bureaus upon requisition to the Office of Inspection. The pages will be 5x7 inches and punched ready for binding. Binders can be requisitioned through the Director of Purchases and Sales at their cost price.

Should the bureau desire to issue the regulations in bound form the Division of Publications will provide a paper back of material similar to the folders now in use in the department, appropriately stamped, wherein the regulations can readily be bound for general distribution.

Amendments to the fiscal regulations will hereafter be in the form of reprints of the entire sheet on which the amendment appears and will be furnished to the bureaus for general distribution.

Loose-leaf binders will be carried as non-expendable property and it will be the duty of each property officer to see that every employee furnished with a loose-leaf binder is also furnished with reprints of the amended regulations, as issued.

Secretary.

Forward to the bureaus?

P.O's don't distribute these

Memorandum.

In the three sets of printed regulations as they stand at present there are 528 pages in all, printed on both sides of the sheet. A printed page carries approximately one-half as much material as a mimeographed page, letter size, single spaced, solid in pica type. Since mimeograph work can be done successfully on only one side of a sheet, a mimeographed combined volume would necessarily contain over 500 sheets. This is a ream of letter-size paper - obviously too large a volume to permit of being carried by a traveler, irrespective of binding.

The cost of paper would be much larger under the mimeograph scheme, and a better grade of paper would be needed. Ordinary book paper suffices for printed pages, while a good substantial grade of paper would have to be used for a permanent multigraphed job.

The paper of a necessary good grade for this purpose would cost at present prices between 50 and 60 cents a ream, and for an edition of 3,000 to be bound the cost of paper would be approximately $1,800. At this price, or somewhat less, an edition of 15,000 would represent a cost for paper alone of between $8,000 and $10,000.

The 5x7" binder which would be required for the printed volume will cost us $1.35, in lots of 3,000. It is conservative to estimate that a binder for the large size sheets would cost at least $2 and possibly considerably more. At a $2 rate the aggregate <u>difference</u> in cost would be approximately $2,000 for the binders alone.

The cost of paper would be much larger under the mimeograph volume, a better grade of paper would be needed. Ordinary book paper suffices for printed pages, while a good substantial grade of paper would have to be used for a permanent multigraphed job.

The paper of a necessary good grade for this purpose would cost 3,000 to be bound the cost of paper would be approximately $1,800. At cost for paper alone of between $5,000 and $10,000.

that a binder for the large size sheets would cost at least $2 and in cost would be approximately $2,000 for the binders alone.

United States Department of Agriculture,
Division of Accounts and Disbursements,
Washington, D. C.

November 2, 1922.

MEMORANDUM FOR MR. W. A. JUMP.

Dear Mr. Jump:

The attached file of papers in regard to loose-leaf binders for combining the fiscal, administrative, and property regulations of the Department was returned to the Advisory Committee on Finance and Business Methods by Mr. Ashley, with the statement that you desired the Committee to consider the proposition of a binder which will take a letter-size sheet and the preparation of our regulations in mimeograph form for inclusion therein. It is understood this suggestion was made by you in order to effect a saving of money and time, that you are not committed to the suggestion, but believe it worthy of consideration by the Committee.

The Committee has reconsidered the matter and is still of the opinion that the regulations should be printed as heretofore recommended and the 5x7" binders used, instead of being mimeographed as suggested, for the following reasons:

> The combined volume, if mimeographed, would contain approximately a ream of letter-size paper - obviously too large to permit being carried by a traveler, irrespective of binding.
>
> The cost of paper would be much larger under the mimeograph scheme. A better and more expensive grade of paper would have to be used. It is estimated at present prices an edition of 15,000 would represent a cost of between $8,000 and $10,000 for paper alone, if mimeographed on letter-size paper.

The 5x7" binder for the printed volume will cost $1.35 each in lots of 3,000. It is estimated that a binder for letter-size sheets would cost at least $2.00 each, and possibly more. At this rate the aggregate difference in cost would be $650 per 1,000 for binders alone.

Therefore, the Committee believes the desired saving in money and time would not be effected by adopting a mimeographed form, and in the interest of economy and good administration recommends that the regulations be printed for inclusion in a 5x7" binder, and that the proposed Secretary's memorandum be issued.

Very respectfully,

A G Gappone

Chairman, Advisory Committee on Finance
and Business Methods.

Enclosures.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

OFFICE OF INSPECTION
FILE NO.

October 26, 1922.

MEMORANDUM FOR MR. ZAPPONE.

Dear Mr. Zappone:

As requested by him I saw Mr. Jump today regarding the attached recommendation of our committee on the subject of loose-leaf binders for the fiscal, administrative, and property regulations. Mr. Jump wishes the committee to consider very carefully the proposition of a binder which will take a letter size sheet and the preparation of our regulations in mimeograph form for inclusion therein. He pointed out that this will effect a saving of money and time in connection with printing, etc. He wishes it distinctly understood, however, that he is not committed in his mind to this suggestion but that he believes it is worth consideration by the committee.

He wishes the committee to consider the matter at once so that we will be ready to report to him when he returns next Monday from a brief leave of absence.

Very truly yours,

Alex. McC. Ashley

A/M

Inspector.

As requested by him I am [illegible]. Judge Cooley regarding the attached recommendation of our committee on the subject of loose-leaf binders for the fiscal, administrative, and property regulations. Mr. Judge wishes the committee to consider very carefully the proposition of a binder which will take a letter size sheet and the reproduction of our regulations in mimeograph form for insertion therein. He pointed out that this will effect a saving of money and time in connection with printing, etc. He wishes it distinctly understood, however, that he is not committed in his mind to this suggestion but that he believes it is worth consideration by the committee.

He wishes the committee to consider the matter at once so that we will be ready to report to him when he returns next [illegible] from a brief leave of absence.

Very truly yours,

United States Department of Agriculture,

Division of Accounts and Disbursements,

Washington, D. C.

October 6, 1922.

MEMORANDUM FOR THE SECRETARY.

Dear Mr. Secretary:

The Advisory Committee on Finance and Business Methods has had under consideration for sometime the adoption of a loose-leaf binder for the purpose of combining the fiscal regulations, the administrative regulations, and the property regulations of this Department in one cover in such manner that these regulations will be kept up to date through the reprinting of an entire sheet, wherein an amendment appears.

Two major considerations have restrained the Committee from the adoption of such a binder:

First, the lack of a suitable commercial product;

Second, the expense involved.

The Committee has investigated the binders on the market and believes that a very satisfactory one, 7 x 5 inches in size, may be obtained at about $1.35 each. This price is based on an estimated need of 3,000 binders within a year and will entail a total expenditure slightly in excess of $4,000 distributed among the various bureaus.

At the present time a reprint of the fiscal regulations is in proof in order to supply additional copies urgently needed by the bureaus. The Committee recommends that these fiscal regulations be revised to date and that the Public Printer be requested to make and preserve plates of the individual pages. The present requisition covers an order of 5,000 copies which it is desired to run on sheets suitable for binding in the loose-leaf binder above referred to. These sheets can be utilized by the bureaus either in loose-leaf form through the purchase of suitable binders, or they can be conveniently bound in paper covers and distributed in that form, in which event they will present a more substantial edition of the fiscal regulations than that now in use. By taking this action at this time the Department will save the cost which has been incurred in setting up the type for the reprint of the present volume.

In view of the fact that these binders will be requisitioned through the Director of Purchases and Sales and paid for from bureau funds, the problem of financing the purchase need not disturb the contingent fund of the Department.

Looking to the future cost of printing and binding the three sets of departmental regulations, it appears that the final cost will in reality be less than the cost of issuing the bound volumes, and the other advantages which will accrue will more than justify the initial investment.

The accompanying regulation has been drawn, and after approval by you, will have the effect of advising the bureaus of the cost of the binders and the methods of placing orders therefor.

Very respectfully,

A Gappone

Chairman, Advisory Committee on Finance
and Business Methods.

Enclosure.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

November 14, 1922.

MEMORANDUM NO. 408.

Amendments to the Fiscal Regulations.

The South Carolina antitipping law having been repealed on March 3, 1922, paragraphs 32(c) and 32(f) of the Fiscal Regulations of the Department are hereby amended by striking out the words "South Carolina."

Henry C. Wallace

Secretary.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

November 14, 1922.

MEMORANDUM No. 408

Amendments to the Fiscal Regulations.

The South Carolina antitipping law having been repealed on March 3, 1922, paragraphs 32(c) and 32(f) of the Fiscal Regulations of the Department are hereby amended by striking out the words "South Carolina."

Henry C. Wallace
Secretary.
wmg

U. S. DEPARTMENT OF AGRICULTURE

DIVISION OF ACCOUNTS AND DISBURSEMENTS

WASHINGTON, D. C.

8-4819

November 7, 1922.

Mr. Zappone:

The following paragraphs in the Fiscal Regulations mention South Carolina as an antitipping State:

32(c), Yes
32(f), Yes
32(h).

However, it has been recommended that paragraph 32(h) be amended and in the proposed amendment the correction was made. If that memorandum is approved, only 32(c) and 32(f) will have to be amended.

Respectfully,

E. P. Diefendorf.

U. S. DEPARTMENT OF AGRICULTURE
DIVISION OF ACCOUNTS AND DISBURSEMENTS
WASHINGTON, D. C.

8—4819 ----------, 192

Mr. Jaspere

Mr. Diefendorf has no record of anything having been done about the S. C. antitipping law repeal.

Resp
J.M.A.

Mr. Diefendorf

Look up and see what paragraphs of the Fiscal Regulations will have to be amended. Resp

O.G.H.

U. S. DEPARTMENT OF AGRICULTURE

DIVISION OF ACCOUNTS AND DISBURSEMENTS

WASHINGTON, D. C.

8—4819 ----------, 192

Mr. Jappe

This is all I have on the subject.

Chas J. M.

U. S. DEPARTMENT OF AGRICULTURE
DIVISION OF ACCOUNTS AND DISBURSEMENTS
WASHINGTON, D. C.

8—4819 ----------, 192

Mr. Jaffkins

The South Carolina antitipping law was repealed some time ago. Has anything been done in the matter of amending the final regulations?

Respy

J. S. A.

Mr. Kenyon

Please let me see papers on subject.

Respy

A. J. M.

Calendar No. 310

Introduced by Mr. McInnes.

Printer's No. 77-X. Senate.

THE COMMITTEE ON JUDICIARY,

To whom was referred a Bill (S.310,H.192) to repeal an Act entitled "An Act to Prohibit Hotels, Restaurants, Cafes, Dining Car Companies, Etc., Known as Act No. 162, of the Acts of 1915, Approved March 2nd, 1915", respectfully

REPORT:

That they have duly and carefully considered the same, and re-
2 commend that the same do pass.

GEO. K. LAWTY, for Committee.

H.B. No.285

In the Senate
Read the first time February 4, 1921.

AN ACT.

To Repeal an Act Entitled "An Act to Prohibit Hotels, Restaurants, Cafes, Dining Car Companies, Etc. Known as Act No. 162, of the Acts of 1915, Approved March 2nd, 1915."

Section 1. Be it enacted by the General Assembly of the State of South Carolina:

That an Act entitled "An Act to prohibit hotels, restaurants,
2 cafes, dining car companies, sleeping car companies, etc., known
3 as 162 of the Acts of 1915, approved March 2nd, 1915," be, and the same is hereby, repealed.

Section 2. This Act to take effect immediately upon its approval
2 by the Governor.

Approved March 3, 1922

E

United States Department of Agriculture,

Division of Accounts and Disbursements,

Washington, D. C.

Am Wanted

November 8, 1922.

Mr. R. W. Williams,

Solicitor, Department of Agriculture.

Dear Mr. Williams:

The Advisory Committee on Finance and Business Methods understands that the South Carolina antitipping law was repealed on March 3, 1922, as per carbon copy of act attached. If such is the case it will be necessary to amend paragraphs 32(c) and 32(f) of the Fiscal Regulations accordingly. I have therefore prepared a memorandum to cover these cases, and if you find the understanding of the Committee is correct in that the law was repealed on March 3, 1922, and the proposed memorandum meets with your approval, will you kindly initial same and return all papers to me.

#541
967 Sess.
1922
TM

Very respectfully,

A Goppone

Chairman, Advisory Committee on Finance and Business Methods.

Enclosures.

F

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

November 2, 1922.

MEMORANDUM NO. 409

Economy in Use of Envelopes.

Certain offices of the Department continue to disregard the suggestions contained in the Chief Clerk's memorandum of July 22, 1920 (copy attached), relative to the economical use of envelopes for transmitting papers by messenger within the Department. In many cases where mail is handled within the Department no envelope at all is necessary, if the papers themselves are properly addressed.

In recent instances which have been observed, expensive envelopes of the larger sizes are being sent from one office in the Department to another, by messenger, addressed and sealed, and thus rendered unfit for further use. When opened, they frequently are found to contain one or two sheets of paper, in some cases even routine mimeographed reports, etc., being delivered from one building to another in this way. This waste must be discontinued at once.

Henry C. Wallace
Secretary.

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF CHIEF CLERK
WASHINGTON, D. C.

July 22, 1920.

MEMORANDUM.

To: Chief Clerks of Bureaus, Divisions and Offices.

The acute shortage and high price of paper stock makes imperative the repeated use of envelopes employed in the transmission of official papers within or between bureaus by messenger. Several of the bureaus have already recognized this fact, and have flexotyped or otherwise printed upon their envelopes for intra-departmental use spaces for a large number of addresses, as well as appropriate instructions to insure continued use of the envelopes until all address spaces have been filled. In this way a 4" x 9½" envelope is made to serve twelve times as a cover for intra-bureau mail, and envelopes of larger size from twelve to thirty-six times. It is suggested that this plan or some modification of it be adopted in those bureaus where envelopes for messenger delivery are now used but once before being discarded.

W M Reese
Chief Clerk.

July 22, 1920.

MEMORANDUM

To: Chief Clerks of Bureaus, Divisions and Offices.

The acute shortage and high price of paper stock makes imperative the repeated use of envelopes employed in the transmission of official papers within or between bureaus by messenger. Several of the bureaus have already recognized this fact, and have flexotyped or otherwise printed upon their envelopes for intra-departmental use spaces for a large number of addresses, as well as appropriate instructions to insure continued use of the envelopes until all address spaces have been filled. In this way a 4" x 9½" envelope is made to serve twelve times as a cover for intra-bureau mail, and envelopes of larger size from twelve to thirty-six times. It is suggested that this plan or some modification of it be adopted in those bureaus where envelopes for messenger delivery are now used but once before being discarded.

Secretary's File Copy
(Signed)

Chief Clerk

Mr. Asher Hobson,
Assistant Chief,
Office of Farm Management.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

April 2, 1921.

CIRCULAR NO. 68.

Handling of Mail and Its Delivery to the Post Office Department.

At the direction of the Secretary the following memorandum is written for the information and guidance of chiefs of bureaus, divisions and offices of the Department of Agriculture:

The Postmaster General calls attention to the heavy congestion of mail at the Washington City Post Office towards the close of the business day. That office dispatches approximately 700,000 letters and postal cards, and 9,000 sacks of mail daily. Approximately 600,000 letters and cards, and other mail in proportion, are deposited between four and eight o'clock p.m., nearly all of it between four and seven o'clock.

The late afternoon congestion at the Post Office arises from the practice prevailing in Government departments of withholding the bulk of their mail until the close of the day before depositing it in the Post Office. The situation would be improved by more frequent mailings throughout the day. The Postmaster General points out that this would, in many cases, work to the advantage of the mailing office, sometimes making a difference of an entire day in the delivery of mail at destination.

This Department should cooperate in the effort of the Post Office Department to reduce the congestion. It is desired therefore that the bureaus make a vigorous effort to spread the dispatch of their mail through the day.

A record kept for a short time in the Department post office indicates that the bulk of our first-class mail dispatched daily is not great enough to make an appreciable difference in the deliveries to the post office. Much the larger proportion of the mail consists in second, third and fourth class matter, and the mailing of this matter should, and can, be distributed through the day.

In view of this situation, chiefs of bureaus, divisions and offices are requested to issue instructions so that mail such as circulars, questionnaires, pamphlets, and packages of supplies will be sacked and delivered to the loading platform or front door of

their respective buildings in time for collection by a truck which will make regular trips for this purpose at 10 a.m., 12:00 noon, and 2:30 p.m.

No mail other than first class should be dispatched after 3:00 p.m., and all that is to go in the last delivery should be ready for the truckman not later than 2:30 p.m. Mail in process of preparation but not ready for placing on the loading platform or at the front door by 2:30 p.m., should be held in the mailing room until the next morning and dispatched on the first delivery.

H. F. Fitts

Draft/

Chiefs of Bureaus, Divisions and Offices,

Department of Agriculture.

The Postmaster General calls attention to the heavy congestion of mail at the Washington City Post Office towards the close of the business day. He states that this office dispatches approximately 700,000 letters and postal cards, and 9,000 sacks of mail daily. Approximately 600,000 letters and cards, and other mail in proportion, are deposited between four and eight o'clock P.M., nearly all of it between four and seven o'clock.

The late afternoon congestion at the Post Office is doubtless due to the practice prevailing in nearly all Government departments of withholding the bulk of their mail until the close of the day before depositing it in the Post Office. The situation would clearly be improved by more frequent mailings throughout the day. The Postmaster General points out that this would, in many cases, work to the advantage of the mailing office, sometimes making a difference of an entire day in the delivery of mail at destination.

The Department should cooperate in the effort of the Post Office Department to reduce the congestion reported by the Postmaster General. To this end it is desired that the bureaus ~~of this Department~~ make a vigorous effort to spread the dispatch of their mail through the day.

From a record which has been kept for a short time in the Department post office it seems clear that the bulk of first-class mail despatched daily by the Department is not great enough to make an appreciable difference in the deliveries to the post office. ~~It is not intended, therefore, by this memorandum to require a specific effort to have first-class mail dispatched at frequent intervals through the day, although this practice would undoubtedly result, in many cases, in earlier deliveries at destination.~~ Much the larger proportion of the Department's mail consists in second, third and [illegible] ter, and the mailing of this matter

should, and can, be distributed through the day.

Chiefs of Bureaus, Divisions and Offices are therefore requested to give such instructions as to ensure that mail such as circulars, questionnaires, pamphlets, packages of supplies and the like be sacked and delivered to the loading platform or front door of their respective building in time for collection by a truck, which, beginning April -------- will make regular rounds for this purpose at 10 A.M., 12 noon and 2:30 P.M.

Except as noted below, no mail other than first class should be dispatched after ~~2:30~~ 3 P.M., and all that is to go in the last delivery should be ready for the truckman not later than 2:30 P.M. Mail in process of preparation but not ready for placing on the loading platform or at the front door by 2:30 P.M., should be held in the mailing room until the next morning and ~~then~~ dispatched on the next delivery. ~~In~~ This requirement may be waived in cases where, for special reasons, mail other than first class, should not be held over from Saturday until Monday, or where it is essential, on any day, for a mailing of ~~or~~ important circulars, or the like, to leave at the earliest possible moment. When there is adequate reason for such an exception it may be made, but as a rule and an established practice every effort should be made to spread deliveries of second, third and fourth class mails through the day by means of the stated calls made by a truck designated for this purpose.

~~Postmaster~~

Mr P- Did you send out memo on this?

Office of the Postmaster General
Washington, D.C.

March 19, 1921

TO THE PRESIDENT, THE VICE PRESIDENT AND THE MEMBERS OF THE CABINET:

The Washington post office dispatches approximately 700,000 letters and postal cards and 9,000 sacks of mail daily.

About 100,000 of the letters and postal cards are deposited between 8.00 A.M. and 4.00 P.M.

Approximately 600,000 letters and cards, and other matter in the same proportion, are deposited between 4.00 P.M. and 8.00 A.M., nearly all of which is deposited between 4.00 P.M. and 7.00 P.M.

Seventy-six per cent of all the mail handled by the Washington post office is under the absolute control of Government officials.

The practice prevails in nearly all the Government departments of holding the bulk of their mail until the close of the day before depositing it at the post office.

This is the reason for the influx of mail about 4.30 or 5.00 o'clock.

If there were frequent mailings during the day instead of the bulk being held until evening this peak would be avoided with the consequent advantages:

(a) Business would be expedited through an earlier dispatch, sometimes making a difference of one entire day in the delivery of the mail at destination.

(b) Congestion of work in the post office at night is reduced, thereby lessening the possibility of delay.

(c) Mailing during the morning and early afternnon clears the way for more expeditious handling and dispatch of the important evening mails.

(d) Matter mailed early is dispatched on trains that are not heavily laden with mail, with consequent more efficient train handling.

(e) Matter mailed early usually reaches the large

business centers at a time when it can be readily distributed and, therefore, is more likely to receive prompt delivery there.

(f) Lastly, but by no means least important, the early mailing reduces the amount of night work at post offices and thereby benefits postal employees and their families.

As an instance of advantage, letters mailed in Washington for Chicago before 2.30 P.M. reach that city in time for delivery on the following day, but if such letters are mailed after 2.30 P.M. they do not reach Chicago until the latter part of the next day too late to be included in that day's delivery. Letters mailed in Washington intended for delivery in Baltimore mailed early in the day connect with the Baltimore deliveries upon the same day.

It is realized that it would not be practicable to apply the idea to important correspondence that has to be personally signed by the heads of Departments or Bureau chiefs. However, the volume of this is negligible compared with the whole. It can be applied, however, without detriment to form letters, books, pamphlets, printed forms, publicity mail, supplies and other matter of secondary importance.

It is our purpose to take up vigorously with the Chambers of Commerce, Boards of Trade, Merchants and Manufacturers' Associations and business men generally the matter of avoiding this peak and endeavor to get all circulars and unimportant matter in the early mailings.

The first step in the campaign ought to begin at home.

If this new practice can be put in force by the different departments of the Government there will be an immediate improvement apparent.

Your cooperation is earnestly requested.

Respectfully,

DEPARTMENT OF AGRICULTURE POST OFFICE.

OUTGOING MAIL

	11:30 A. M.	2:00 P. M.	4:30 P. M.
March 24,1921	1 Bag Letters 3 Bags- 2, 3, & 4th class	1 Bag Letters 7 Bags-2,3,&4 class	2 Bags Letters 24 " 2,3,&4th class
March 25,1921	3 Bags Letters 10 " 2, 3, & 4th class	1 Bag Letters 6 Bags,2,3,& 4 class	3 Bags Letters 19 " 2,3,&4th class
March 26,1921	2 Bags Letters 9 " 2, 3, & 4th class	1 Bag Letters 7 Bags-2,3,&4 class	4 Bags Letters 21" 2,3,&4th class
March 28,1921	2 Bags Letters 9 " 2, 3, & 4th class	2 Bags Letters 7" 2,3,&4th class	3 Bags Letters 24" 2,3,&4th class
March 29,1921	2 Bags Letters 6 " 2, 3, & 4th class	3 Bags Letters 14 " 2,3, & 4th class	3 Bags Letters 21"2,3, & 4th class
Totals, 5 days	10 Bags Letters 37 " Other	8 Bags Letters 41 " Other	15 Bags Letters 109 " Other

TOTAL BAGS FOR FIVE DAYS

	11:30 A. M.	2: P. M.	4:30 P. M.
Letters	10.....30.3 %	8..... 24.24%	15.....45.46%
Other Matter	37.....19.79%	41..... 21.92%	109.....58.29%
Total	47.....21.36%	49..... 22.26%	124.....56.36%

AVERAGE BAGS FOR FIVE DAYS

	11:30 A. M.	2:00 P. M.	4:30 P. M.
Letters	2 .....30.30%	1.6.....24.24%	3 .....45.45%
Other Matter	7.5 ..... 19.99%	8.2.....21.86%	21.8 .....58.11%
Avg. all Matter	9.5 ..... 21.53%	9.8..... 22.22%	24.8 .....56.22%

OFFICE OF THE SECRETARY OF AGRICULTURE

3/30

Mr Reese

Will you pls have someone figure out the average volume for each of the 3 daily mails & the total daily average. Can be added to next attached

J.

F

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

March 30, 1921.

Mr. R. M. Reese,

Chief Clerk.

Dear Mr. Reese:

I spoke to you the other day about the practice of the bureaus in withholding mail from the Department post office until the end of the day. This practice evidently has been noticed by the Post Office Department and has resulted in the issuance of a statement by the Postmaster General asking that steps be taken to ameliorate this condition.

I understood you would cause an investigation to be made by our people and would report to the Secretary as soon as possible.

Are you in a position to advise me the result of this inquiry? The Secretary is anxious to know about it right away.

Very truly yours,

[illegible] OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

March 20, 1941.

Mr. A. F. Hesse,
Chief Clerk,
Post Ex. Service.

I spoke to you the other day about the practice of the Personnel Classification Unit from the Department just after a until the end of the day. This practice evidently has been noticed by the Chief Office Department and has resulted in the issuance of a statement by the Personnel Director [illegible] to discontinue this practice.

I understand you would have no objection to be done by one people and would refer to the department so that is possible.

Are you in a position to advise me the result of this inquiry? The Secretary is anxious to know about it right away.

Very truly yours,

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF CHIEF CLERK,
WASHINGTON, D. C.

March 30, 1921.

Dear Mr. Fitts:

A five days' study of the mail deliveries from this Department to the city post office shows the following conditions:

(1) The Weather Bureau mail is handled entirely by that bureau.

(2) Mail service from the group of buildings in this vicinity is given by three deliveries (11.30 a.m., 2 p.m. and 4.30 p.m.) by truck from the central post office located in the Main Building, but these trips frequently must be supplemented by special collections, particularly from the Bureau of Markets, Bureau of Crop Estimates, and the Division of Publications, for the delivery to the post office of large quantities of second, third and fourth class mail.

(3) The Bureau of Public Roads and the Forest Service are served partly by our truck service which picks up mail enroute to the post office, but these bureaus also have other occasional deliveries.

I attach statement showing the number of bags of mail delivered by truck from the central post office in this building covering the five days, March 24 to 29, not including Sunday. If this brief study is representative, as I think it is, it shows that the amount of letter mail (first class) is not extraordinarily large and fairly well distributed throughout the day. The second, third and fourth class mail, however, is large in amount and bulks heavily into the 4.30 p.m. delivery.

I have no record of the actual number of sacks of mail specially collected from the Bureaus of Markets and Crop Estimates and the Division of Publications during these five days, but it is frequently very large. On one day recently the Bureau of Markets had 52 sacks of mail which had to be specially delivered to the post office. The number of special trips made for each of these bureaus during the five days referred to averaged one each day.

The great bulk of the mail from these bureaus requiring special transportation to the post office is undoubtedly made up of circulars, questionnaires, etc. The city post office long since required us to put this matter up in bundles by states with all addresses facing the same way and to mark the bags as to contents. It is the classes of mail other than letters which undoubtedly account (so far as this Department is concerned) for congestion towards the close of the day.

A study covering only five days is rather brief but I take it sufficiently discloses our part in the congestion at the post office of which the Postmaster General has spoken.

If a remedy is to be sought for this condition it appears to me to lie in informing all bureaus having large amounts of mail other than letter mail that they must sack it as early as possible and deliver the sacks without delay to the loading platform or front door of their respective buildings; then we must make provision for truck service, which would accomplish the collection and transportation to the post office of such mail three times a day, say at 10.00 12.00 and 3.00 o'clock. Such bureaus should be further instructed that no deliveries of these classes of mail would be

made after 3.00 p.m. and that anything sacked later than that should be held over until the first delivery the next day. This procedure I believe would distribute the mail more evenly throughout the day, but it is quite possible that the bureaus would raise objection to holding mail overnight.

Chief Clerk.

November 10, 1922.

CIRCULAR NO. _____

The Post Office Department has again called attention to the desirability of mailing early and continuously throughout the day. The attention of mailing officers throughout this Department is hereby called to circular No. 68 on this subject. Mails leave the Department for the City Post Office at 11:00 A. M., 2:00 P. M. and 4:30 P. M. Only first-class mail will be dispatched after 2:00 P. M., except in case of emergency, in which event permission must be first obtained from the Chief Clerk of the Department.

Administrative Assistant.

MEMORANDUM NO. _____

Paragraph 259 of the Administrative Regulations is hereby amended to read as follows:

259. ARRIVAL AND DEPARTURE OF MAILS.—Mails are received at the department from the city post office at 8 a.m., 10 a.m., 12:45 p.m., and 3 p.m.

Mails leave the department for the city post office at 11:30 a.m., 2 p.m., and 4:30 p.m.

Only first-class mail will be dispatched after 2 p.m., except in case of emergency. When it is necessary to dispatch mail other than first-class after 2 p.m., permission must be obtained from the Chief Clerk of the Department.

No registered mail will be received at the department post office after 4:15 p.m.

Secretary.

November 17, 1922.

The Honorable,

The Postmaster General.

Dear Mr. Postmaster General:

Receipt is acknowledged of Acting Postmaster General Glover's letter relative to mailing early and continuously throughout the day and dispatching only first-class mail at the end of the day.

This Department has been endeavoring to strictly adhere to the practice of dispatching only first-class mail after 2:00 P. M. since March 1921, when your Department first advised us of the desirability of such action. This matter is again being called to the attention of mailing officers throughout the Department and the regulations of the Department are also being amended in order to limit the 4:30 P. M. dispatch to first-class mail, except in case of emergency, in which event permission must be obtained from the Chief Clerk of the Department.

Sincerely yours,

Henry C Wallace

Secretary.

Office of the Postmaster General
Washington, D.C.

Mr Reese
Secy

November 3, 1922.

To the Secretary of Agriculture,
Hon. Henry C. Wallace,

Department of Agriculture.

My dear Mr. Secretary:

I am again bringing to your attention a matter of the most vital importance to the postal service, namely, mailing early and continuously throughout the day.

Commencing in March of last year, the cooperation of the different departments and independent branches of the Government in depositing their mail early each day in the Washington city post office became so effective that during the month of August, 1921, 40% of all official letter mail was received in the post office and postmarked prior to 4:00 P. M.

The Washington post office dispatches daily something over 800,000 letters and postal cards and 9,500 sacks of other classes of mail. It will readily be realized that when from 70% to 80% of this great volume of mail is not posted until 4:00 P. M. or thereafter congestion inevitably occurs, additional temporary forces are required, delays in handling and dispatch are unavoidable, and considerable night work on the part of regular post office employees results which would otherwise be unnecessary.

Approximately 76% of all mail handled in the Washington office is franked or official matter. If this great volume of mail can be kept flowing though the office throughout the day it can be dispatched much more promptly and regularly, the permanent forces kept scheduled so as to handle it without loss of time or additional expense for auxiliary assistance, and the night work of post office employees can be reduced to the minimum.

I am, therefore, again requesting that all the bureaus and divisions of the different departments and independent branches be directed to so organize the handling of their outgoing mail that

the great bulk thereof can be in the post office prior to 3:00 P. M. each day.

It is realized that this plan cannot be applied to important correspondence that must be personally reviewed and signed by department and bureau heads. The volume of this character of mail is small as compared with the whole, and ordinarily there would seem to be no good reason why such matter as form letters, books, pamphlets, circulars and printed forms, publicity matter, supplies, etc., cannot be taken to the post office in the morning hours between 9:00 A. M. and 1:00 P. M.

As heretofore intimated, effective and continued cooperation of this character will result not only in greatly expediting the dispatch of Government mail, but will be of invaluable aid to the Department in its effort to put more business in the postal service and eliminate every item of unnecessary expense, in accordance with the determined policy of the administration.

An intensive nationwide campaign to secure the cooperation of the business world in this respect is meeting with gratifying results. The Government departments should, therefore, not fail to do that which it is asking and obtaining from the public.

Your earnest cooperation will be greatly appreciated.

Sincerely yours,

Warren Gross

Acting Postmaster General.

F

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C.

November 17, 1922.

MEMORANDUM NO. 410

Dispatch of Mail.

The Post Office Department has again called attention to the necessity of mailing early and continuously throughout the day rather than the posting of a great volume of matter at the close of the day. As indicated in Circular No. 68, it is desired that all officers and employees of this Department cooperate to the fullest extent in this matter.

The Administrative Regulations of the Department are hereby amended to read as follows:

259. ARRIVAL AND DEPARTURE OF MAILS. -- Mails are received at the department from the city post office at 8 a.m., 10 a.m., 12:45 p.m., and 3 p.m.

Mails leave the department for the city post office at 11:30 a.m., 2 p.m., and 4:30 p.m.

Only first-class mail will be dispatched after 2 p.m., except in case of emergency. When it is necessary to dispatch mail other than first-class after 2 p.m., permission must be obtained from the Chief Clerk of the Department.

No registered mail will be received at the department post office after 4:15 p.m.

Henry C. Wallace

Secretary.

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DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

rather than in the position of a grant of a matter of the day.

MEMORANDUM NO._____.

Dispatch of Mail.

The Post Office Department has again called attention to the ~~desirability of~~ necessity mailing early and continuously throughout the day. ~~In this connection, the attention of mailing officers throughout this Department is hereby called to~~ As indicated in Circular No. 68, ~~which is hereby incorporated in the~~ Administrative Regulations ~~by the amendment~~ of Paragraph 259 to read as follows: of the Dept are hereby

259. ARRIVAL AND DEPARTURE OF MAILS.--Mails are received at the department from the city post office at 8 a.m., 10 a.m., 12:45 p.m., and 3 p.m.

Mails leave the department for the city post office at 11:30 a.m., 2 p.m., and 4:30 p.m.

Only first-class mail will be dispatched after 2 p.m., except in case of emergency. When it is necessary to dispatch mail other than first-class after 2 p.m., permission must be obtained from the Chief Clerk of the Department.

No registered mail will be received at the department post office after 4:15 p.m.

Secretary.

it is deemed that all officers and employees of the Dept, should cooperate to the fullest extent in this matter. W. Pike

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

November 21, 1922.

MEMORANDUM No. 411.

Payment of Duties on Imported Articles.

The attention of administrative officers of the various bureaus is invited to the fact that the Tariff Act of 1922 (Public No. 318, 67th Congress) failed to reenact the following provision included in previous Tariff Acts providing free entry for scientific apparatus, instruments, etc., imported for the use of scientific and certain other societies, under authority of which importations for this Department have heretofore been entered free of duty:

> "Philosophical and scientific apparatus, utensils, instruments, and preparations, including bottles and boxes containing the same, specially imported in good faith for the use and by order of any society or institution incorporated or established solely for religious, philosophical, educational, scientific, or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any college, academy, school, or seminary of learning in the United States, or any State or public library, and not for sale, and articles solely for experimental purposes, when imported by any society or institution of the character herein described, subject to such regulations as the Secretary of the Treasury shall prescribe." (Paragraph 573, Tariff Act, 1913, 38 Stat., 161.)

Consequently, this Department will be required to pay the duties imposed by the Tariff Act of 1922 on all importations from foreign countries upon which duty is assessed.

It is the understanding of the Department that the Secretary of the Treasury will instruct collectors of customs at all ports of entry to clear importations for Government agencies when only the question of the payment of the duty is involved, the amount of duty to be vouchered the department concerned. Vouchers for the payment of duty will be examined in the administrative bureaus of this Department and transmitted to the Disbursing Clerk or other fiscal officer for payment.

Henry C. Wallace

Secretary.

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TREASURY DEPARTMENT

WASHINGTON

November 8, 1922.

The Honorable,
The Secretary of Agriculture.

Sir:

The Department is in receipt of your letter of the 28th ultimo, relative to the payment of duty on articles imported for the Department of Agriculture.

In this connection I have the honor to advise you that under date of October 25th, instructions similar to those suggested by you were issued to collectors of customs and I enclose herewith for your information a copy of T. D. 39285, which was published in a recent issue of the Treasury Decisions.

By direction of the Secretary.

Respectfully,

Clint Wadsworth
Assistant Secretary.

Enclosure #28674

Mr. Kemper
Please note
and return.
AJ 11/13

October 28, 1922.

The Honorable

The Secretary of the Treasury.

Sir:

It has come to my attention that the Act approved September 21, 1922, entitled "An Act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes," commonly referred to as the Tariff Act of 1922, did not reenact provisions in previous tariff acts for the admission free of duty of scientific apparatus and equipment for scientific institutions, and that consequently all importations by the various Government agencies are subject to the duties imposed by the Tariff Act of 1922.

If this information is correct the question presents itself as to the procedure to be followed in connection with importations for this Department. You realize that it would be impossible for the Department to effect an arrangement whereby duty on imported articles could be paid in advance of their clearance unless, of course, the articles are held in the various customs offices until the collectors

have submitted vouchers for the amount of duty and receive checks in payment thereof. But this would seriously delay the receipt of the imported articles and in many cases seriously retard scientific investigations.

It occurs to me that it might be possible to instruct collectors of customs to clear importations for this Department, when only the question of duty is involved, and to render an account to the Department for the amount of the duty. These accounts will be certified and approved by the proper administrative officers and forwarded to the Disbursing Clerk in the usual manner for payment, who in turn will draw a check in favor of the particular collector. This procedure will greatly facilitate the receipt of imported articles and I am sure will work out in a satisfactory manner.

Your prompt consideration of this matter will be appreciated.

Sincerely yours,

Secretary's File Room
(Signed)

Secretary.

have submitted vouchers for the amount of duty and receive checks in payment thereof. But this would seriously delay the receipt of the imported articles and in many cases seriously retard salon-tific investigations.

It occurs to me that it might be possible to instruct collectors of customs to clear importations for this Department, when only the question of duty is involved, and to render an account to the Department for the amount of the duty. These accounts will be certified and approved by the proper administrative officers and forwarded to the Disbursing Clerk in the usual manner for payment, who in turn will draw a check in favor of the particular collector. This procedure will greatly facilitate the receipt of imported articles and I am sure will work out in a satisfactory manner.

Your prompt consideration of this matter will be appreciated.

Sincerely yours,

Secretary.

United States Department of Agriculture,
Division of Accounts and Disbursements,
Washington, D. C.

November 13, 1922.

MEMORANDUM FOR THE SECRETARY.

Dear Mr. Secretary:

The Advisory Committee on Finance and Business Methods transmitted to you on October 28, 1922, papers in connection with the payment of duties on imported articles, and a letter to the Secretary of the Treasury asking that instructions be issued to Collectors of Customs to clear importations for the Department when only the amount of the duty is involved. It was also stated that the Committee believed a Secretary's memorandum on the subject should be issued for the information and guidance of the various bureaus of the Department and that same was in the course of preparation. The attached memorandum has now been prepared and is submitted to you for your consideration. The matter was referred to the Office of the Solicitor and has received the approval of that office as indicated by the initials of the Acting Solicitor on the memorandum.

The Committee recommends that the attached memorandum by issued.

Very respectfully,

A Gossone

Enclosure.

Chairman, Advisory Committee on Finance
and Business Methods.

United States Department of Agriculture,

Division of Accounts and Disbursements,

Washington, D. C.

November 13, 1922.

MEMORANDUM FOR THE SECRETARY.

Dear Sir, Secretary:

The Advisory Committee on Finance and Business Methods transmitted to you on October 26, 1922, papers in connection with the payment of duties on imported articles, and a letter to the Secretary of the Treasury asking that instructions be issued to Collectors of Customs to place importations for this Department when only the amount of the duty is involved. It was also stated that the Committee believed a Secretary's memorandum on the subject should be issued for the information and guidance of the various bureaus of the Department and that same was in the course of preparation. The attached memorandum has now been prepared and is submitted to you for your consideration. The matter was referred to the Office of the Solicitor and has received the approval of that office as indicated by the initials of the Acting Solicitor on the memorandum.

The Committee recommends that the attached memorandum be issued.

Very respectfully,

Enclosure.

Chairman, Advisory Committee on Finance and Business Methods.